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The Assassination in Portugal

The assassination of the King of Portugal and the heir apparent to the throne has not only awakened the sympathy of all civilized peoples, but has gone far to re-establish the monarchy in the affections of Portugal. This is what always happens when such crimes against government and against fundamental human instinct are committed. With inexplicable fatuity, the assassins of rulers almost always select those whose qualities especially endear them to their fellows. This was true of the killing of the Empress of Austria, of King Humbert of Italy, of President Carnot of France, of Presidents Lincoln, Garfield, and McKinley; and almost invariably the horror which the crime excites creates a powerful reaction which utterly defeats the plans of the assassins. A few months ago the movement looking to the establishment of a republic in Portugal had apparently attained some dimensions; to-day, if present indications afford any basis for judgment, it has been indefinitely postponed. The personal popularity of the King, the gallantry of the two princes fighting in the carriage against a throng of assassins, the bravery of the Queen, who is reported to have thrown herself in front of her husband, beating back the brute nearest her with a bouquet of roses, have not only changed sentiment in Portugal but have awakened the admiration of the whole world. Would-be assassins of rulers, if they were not incredibly short-sighted, would take into account the fact that one of the conspicuous virtues of royalty is courage, and that a personal attack always affords the opportunity for the display of a quality which never fails to appeal to the imagination of men. King Carlos had long been struggling with very difficult conditions. Before he came to the throne, Portugal was in desperate straits financially. Its debt is within one hundred millions of the debt of the United States, while its population is less than 6,000,000. Incapacity and corruption were the special qualities of the principal men in both parties; and what made the situation more difficult was a subterranean understanding between the leaders of the two parties, like that which has sometimes obtained in New York City between Tammany and the Republican Ring—practically an agreement between plunderers to divide the spoils.

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The New Order

Early in his reign Carlos surrendered twenty per cent of the royal revenue to alleviate the financial strain, but the situation grew worse, and ten years ago the movement for the establishment of a republic had become formidable. Business was paralyzed, the country was without much credit, and the people had lost faith in their political leaders. The action of the King in creating a tobacco monopoly for the Government, three years ago, brought in great increase of revenue, which officials promptly divided among themselves. It was impossible to secure any legislation. Matters were at a standstill when, a year ago, the King dissolved Parliament and established a Dictatorship in the hands of Premier Franco. Senhor Franco was eager to initiate reforms, and took an arbitrary course for what he believed to be the good of the country. He proceeded to govern with a strong hand. He was a capable and honest man. He brought up the arrears due to the army and navy. He abolished innumerable sinecures. He put down public demonstrations with force; and while protests were heard on all sides against the suspension of the constitution and the arbitrary rule of the King and of the Prime

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Minister, order was coming out of chaos, and there seemed to be substantial ground for hope that Portugal would get on a solid foundation once more. It is easy to say at this distance that the King's course was not justified, but it is not easy to demonstrate the justice of that statement. Assassination has apparently undone all the work of the Prime Minister, who has been compelled to resign, and who has taken refuge in France. Prince Manuel, the second son of Dom Carlos, a youth of nineteen years, whose wounds were slight, has assumed the reins of government as Manuel II. A new Ministry has been formed, of which Rear-Admiral Ferreira do Amaral has assumed the presidency, with a coalition Cabinet, regarded as Liberal in sentiment but strongly committed to the monarchy. The young King has announced his intention of summoning Parliament and of pledging himself to preserve the integrity of the country before that body, and a reversal of some of the late Prime Minister's policies has been announced. In the meantime, quiet apparently prevails throughout Portugal.

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"The Truth About Racing"

The Jockey Club, the organization which controls the sport of horse-racing in New York State, has issued a small pamphlet entitled "The Truth About Racing." Coming from the highest source of authority on racing in the State, this pamphlet presumably contains the best arguments that can be presented against the repeal of the Percy-Gray Law, which permits gambling on race-tracks in New York. The principal arguments seem to be these: 1. Racing is a necessity if the breed of horses is to be continually improved. The race-course furnishes the indispensable test by which the relative merit of different strains of blood and different methods of mating can be ascertained. The prizes offered by the racing associations are needed incentives to breeders to strive for improvement in the horses which they raise. 2. The money which the State Fair Associations receive from the racing associations does not come from gambling sources. It comes from gate receipts and from the restaurant and programme privileges. The crowds who pay the entrance fees are orderly, well dressed, and "thousands" of them belong to religious denominations and "would be up in arms at the merest hint of a suspicion as to their Christianity." "More than ninety per cent of them would tell inquirers that they cared nothing for the speculative side of the sport." The real attraction for them is the escape from the city into the pure air and quiet of the country, "the enjoyment of close communion with nature," and the pleasure of watching the "satin-coated horses," and the thrill of the struggle on the track. 3. "There can be no controversy whatever as to the attitude of the Jockey Club toward betting or even wagering in the individual form. It frowns upon it in the one instance and it antagonizes it in the general form. It has set its face resolutely against any alliance with any speculation which may be incidental to racing, and it has taken effective steps toward the repression of any wagering which may even by reflection be attributed to the presence of racing. It regulates the one so far as it is possible to do so, and it utilizes all its efficient and competent authority to make impossible the other." By making it difficult and sometimes impossible for the pool-rooms to get prompt and accurate information as to the results of races, the Jockey Club has largely reduced betting in pool-rooms. 4. Betting "is an evil which it may be accepted will be practiced just so long as the taint of original sin is on men." It is preferable, therefore, to have it carried on under clean and wholesome conditions, as it is in the race-track inclosures. 5. Great investments which have been made under the protection of the present law will be wiped out if the law is repealed. "Is it fair to destroy the property of any man or body of men after having encouraged its creation?"

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The Truth About Race-Track Gambling

Of these arguments, which we have stated as fairly as we can, the second and third seem to us to be more potent against the con-

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tentions of the Jockey Club than for them. If ninety per cent of those who frequent the race-tracks are brought there by other attractions than the opportunity of gambling, the elimination of the gambling would deprive the tracks of only one-tenth of their supporters. Surely the tracks could survive a reduction of one-tenth in their patronage. The paragraph which we have quoted under 3 may have some meaning; but we must confess that repeated reading has failed to reveal it to us. If, by any chance, it means that the Jockey Club is opposed to betting on horse-races within the racing inclosures, it is palpably untrue; for the whole argument of the pamphlet is based upon the tacit assumption that to terminate gambling on race-tracks will terminate the racing as well. That the racing associations are opposed to betting on horse-races in pool-rooms may well be believed. For from those who gamble in pool-rooms the racing associations receive no admission fees or other financial tribute. The argument that vice which cannot be prevented should be regulated is an old and plausible one. But it has never been accepted as an American doctrine, and not even the Jockey Club, we imagine, would be willing to rest its case solely on that theory. The argument that racing is necessary to the progress of breeding is also old and widely accepted. But it is a curious fact that the horse is the only animal, one might say the only appliance, useful to man, which has had to depend for its improvement, not on man's need or desire for its practical use, but on man's wish to cater to one of his own vices. If the horse cannot be improved for man's use without deteriorating the man, the price is too high to pay for improvement. But there is a single argument which of its own force sweeps away all those of the most thoughtful advocates of race-track gambling. The people of the State of New York have decreed in the fundamental law that gambling shall not be carried on within the State, and have directed the Legislature to enforce this provision by appropriate legislation. The Percy-Gray Law is not legislation appropriate to that end. It is appropriate to prevent gambling on horse-races outside the race-tracks and to permit gambling on horse-races within the race-tracks. The question whether gambling is only a venial vice which the State should regulate, not prohibit, was settled by the people when they adopted the Constitution. The question before the legislators is, Shall the will of the people as declared in the Constitution be executed, or palpably evaded under cover of law? The present law is a false pretense; pretending to carry out the Constitution, it skillfully contrives to permit the gambling which the Constitution prohibits. The existence of such a false pretense on the statute-book is a standing reproach to the members of the Legislature, who forget their oaths of office and defy the Constitution and the people by refusing to repeal it.

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The Responsibility for Railway Accidents

The right answer to the question, Who is responsible for railway accidents—the management or the employees? is undoubtedly, Both! But the division and nature of the responsibility is a question open to discussion. It so happens that lately there have been two enlightening statements from opposing points of view. The first is in the form of an Open Letter by Mr. W. H. Boardman, the editor of the Railroad Gazette. Speaking for railway managers, Mr. Boardman declares that they are doing better than ever before, but "cannot be successful until allowed to control their own employees." In the employment of enginemen and train crews, he asserts, the trade unions have "rather more authority than the employers, and, except perhaps on the Reading and the Chicago, Burlington, and Quincy, which have paid millions for the privilege, dangerous men cannot always be weeded out." And, again, in emphasizing the responsibility of the General Manager, Mr. Boardman says: "Perhaps his most difficult problem is getting obedience and weeding out inefficient men. The trade unions are arrayed against him, but his disciplinary work is essentially military, and he cannot succeed until he gets a high quality of military discipline throughout the

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entire operating force on train and track." The impression has rather generally prevailed that the unions of railway employees were of a high type of labor association. Mr. D. L. Cease, of the Railway Trainmen's Journal, writing in The Outlook last summer, very emphatically denied that railway organizations interfered with the employer if he proposed to suspend or dismiss for cause, adding: "There are times when the organizations protest against discipline, but railway employees understand that rules are made to be enforced, that their own safety depends on the exactness with which each employee obeys the rules, and they do not oppose the enforcement of punishment against those who deserve it." It is perfectly clear, whatever may actually be the truth as between these contradictory assertions, that no union ought for a minute to be allowed to interfere with discipline or management in such a way as to endanger safety. The subject is one that should be closely watched by the States through Public Service Commissions and by the Nation through its Inter-State Commerce Commission, while each body should have within its jurisdiction full power to deal with the whole question of public safety on the railway. Apart from this charge, Mr. Boardman analyzes the causes of accidents instructively. He admits candidly that many railway officials are legally and morally guilty of criminal negligence, but points out that in a very large number of cases of injury the passenger or employee is guilty of folly beyond the power of railway officials to prevent; outside of the 1,421 lives of passengers and employees lost last year in train accidents (nearly all due to disobedience, carelessness, or lack of discipline on the part of railway men) there were 3,599 lives of passengers and employees lost, and of these Mr. Boardman thinks about 1,000 might have been saved by strict obedience of employees or perfect equipment; for the 1,873 lives of passengers or employees lost on the right-of-way the blame must chiefly be laid on the victims. Still more is this true of the 6,330 persons other than employees killed along the lines, most of them when trespassing. The need of more thorough inspection is admitted, and the example set by Mr. Kruttschnitt, of the Southern Pacific, is highly praised. This includes a special department whose work covers cleanliness, ventilation, heating and lighting of cars and stations, neatness and good manners everywhere, excessive speed, schedule failures, neglect to flag, and running past signals. These latter dangerous practices have been nearly eliminated.

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Rules Enough, but Not Enforced

This question of inspection brings us directly to a main point made by Mr. J. O. Fagan in two extremely well written and forcible articles in the Atlantic Monthly, under the title "Confessions of a Railroad Signalman." Mr. Fagan admits frankly that eighty-five per cent of the fatalities on our railways can be directly traced to the negligence of employees. He admits also that "almost every possible way in which trouble can occur on a railroad is foreseen and provided for by some rule or safety device." What is the difficulty, then? Largely that negligence and violation of rules are not punished except after actual accident. The railway officials do not, as they should, constantly inspect what is done out on the road; they sit still and wait for complaints, and as one employee will rarely complain against his fellow, the habit of disobeying rules grows up until some day there is an accident, followed by a secret investigation and a discharge. It is safe to say that if there is a leak in the handling of the company's money, the company finds it out without the need of volunteered testimony, but many a general manager would be vastly surprised to hear that Engineer Smith habitually disregarded green cautionary signals. He ought not to be surprised; he ought to *know* from his special inspectors out on the road whether Smith or any one else is guilty of such a practice. Then, again, the secrecy of the discipline is injurious. Says Mr. Fagan:

> The story of one accident is the story of them all. There is a smash-up. Property is destroyed, perhaps passengers are hurt.

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The superintendent at once starts an investigation. It is practically secret. Not a word in regard to it is allowed to leak out. After a while a decision is arrived at and a verdict is rendered—in secret. Then discipline is administered. A private communication containing verdict and penalty is sent to the accused party. This, of course, he keeps to himself, and the incident is closed.

But before long another employee, in utter ignorance of the first man's blunder, commits the same mistake. Both of these wrecks may have been serious, perhaps with loss of life, but that makes no difference. Our traditions and ancient habits have not been interfered with, and the bills have been paid. Such is discipline in the dark. Great indeed is secrecy.

The total result is that certain rules are so constantly violated that railway workers have, as Mr. Fagan says, got it into their heads that these rules are *permissive*, not *positive*, that they are to use their judgment as to when chances may be taken. A familiar illustration is a fact that any traveler may notice frequently, namely, that rear flagmen rarely protect their trains to the very letter of the rule; another is that enginemen interpret "cautious running" to mean full speed, when they are confident the track is clear. The common-sense view is that the companies should make their rules, not for use after an accident, but always, and that they should know positively and affirmatively every day of their lives whether the rules are being observed. Inspection under the ultimate approval of State or National authority is a road to safety. Another road pointed out emphatically by Mr. Fagan is the education of every railway man, from top to bottom, to the knowledge that safety depends, not so much "on the multiplication of safety devices or the reconstruction of rules as upon the personal effort and conduct of conscientious, alert, and careful men."

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Let Us Conserve Our Natural Resources

"The manufacturer pays for his raw material. The newspaper pays for its printing material. The lumberman buys his timber. [Certain] lands belong to the public. If they are used for range, the public should have some compensation." So wrote, last month, the editor of the Daily Missoulian, of Missoula, Montana. "We favor the President's policy in regard to leasing the open range, Government ownership of the coal lands, and the strict enforcement of the public land laws." So wrote to The Outlook last week a correspondent of Cody, Wyoming. Since these expressions of public opinion on the ground were received, the annual report of James Rudolph Garfield, Secretary of the Interior, has appeared. Chief among its features is his discussion of the public land question. As to the consumption of forage on those lands, he records the fact that because of the country's agricultural development the great public ranges have necessarily become restricted, and the old free range for cattle is a thing of the past. Without proper restriction all the great ranges now existing will soon be destroyed because of overfeeding. Under existing law no fences can be permitted. Instead of an absurd law prohibiting the inclosure of the public domain, we should have, as the Secretary suggests, a system of permits or leases, based either upon an acreage or a per capita basis, and regulated according to the peculiar needs of each locality. Such a system would conserve and improve what is left of our ranges, and one of our great natural resources, forage, would be treated as it should be. Another great natural resource is coal. Because of frauds perpetrated in the acquisition of coal lands—the lands being acquired illegally under other forms of entry than that provided in the coal land law—nearly sixty-seven million acres of land, during the past year and a half, have been withdrawn from entry, by Executive order, for the purpose of determining whether they were underlain with merchantable coal. Under the law coal lands are subject to entry at the minimum prices of ten and twenty dollars an acre, according to their proximity to the railways. But many of these lands are of far greater value. Again, under the coal land law no one individual may purchase more than 160 acres, nor a corporation more than 320. But in most cases, to develop a mine profitably, a larger acreage is necessary.

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The law should be amended in accordance with these facts. Furthermore, to prevent waste or monopolization Mr. Garfield believes that the Government should retain title to the coal, and lease under regulations which will insure proper development. While this method has its advantages, the belief of some others, well qualified to judge, should also be recorded, that sale, under proper restrictions, rather than lease would insure, in the long run, the better result. In any event, as we have chronicled, there is a gratifyingly growing sentiment in favor of broader and saner legislation concerning land valuable because of its natural resources, whether they be forage and fuel, as already shown, or timber, water, or agricultural potentiality. As long as there was an overabundance of public land so available, few complaints were made regarding its misappropriation or misuse. The rapidly increasing population in the public-land States of the West, however, has changed this condition. Our natural resources are not inexhaustible. Their waste or misuse must be stopped. As The Outlook has already said, the forthcoming meeting at Washington of the Governors of all the States to consider the whole subject with the President may, in its ultimate result, prove the chief event of the present Administration.

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The Corporations Aiding the Administration

If one read only such papers as the New York Sun, for instance, it might appear that the great commercial corporations, as a unit, were opposing the work of investigation conducted by the Bureau of Corporations in the Department of Commerce. The annual report, however, of Herbert Knox Smith, Commissioner of Corporations, declares that during the past fiscal year the Bureau has had, in increasing measure, the *voluntary* co-operation and assistance of most of the large corporations involved in the subject matter of the Bureau's investigations. This assistance given by the leaders of industry is encouraging in indicating the attitude of many of the ablest men of the country towards the fundamental objects for which the Bureau was created. Its primary object is to set before the President, Congress, and the public reliable information concerning the operation of the great inter-State corporations. Taking this information as a basis, public opinion can be more intelligently directed at industrial evils. Corporate combination, an economic necessity, is in itself no problem. As the Commissioner says, a corporation which acquires power simply because it gives better service to the public by fair and open means justifies itself; on the other hand, that company whose success is based on active destruction of the success of competitors by unfair methods is an illustration of the evils to be prevented. Hence, the question at issue is not corporate existence, but corporate methods. The Bureau of Corporations has already proved the wisdom of its creation by exhibiting the power of industrial combination in forcing discrimination in transportation. Publicity is the end sought by the Bureau's investigations. In order to compel it and thus deal with inter-State corporations by administrative supervision rather than by judicial procedure, a Federal license plan may be adopted, or a simple requirement that such corporations shall make reports and submit their books to a Federal bureau. By either plan a permanent practical ground would be afforded for co-operation between Government officials and corporate managers. As Mr. Smith says, there is no need that such Federal supervision should derogate from the State's proper powers. The great businesses of to-day are transacted under National conditions, with no reference to State lines. Yet, justly protests the Commissioner, the legal status of these businesses is still defined almost wholly by State statutes, a discrepancy which has been the cause of many existing evils. If corporate commerce is National, the control over it should also be National.

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Bullets and Buggies, Cannon and Crosses

"Is there any logic in classing buttons and stoves together? Should bullets and buggies, should automobiles and bull's-eye lanterns, pay the same duty? Are farm

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implements and gold boxes in the same class? Is there any connection between carriages and dress trimmings? Is there any reason why cannon for war and crosses for churches should be classified alike?" So queried Senator Beveridge last week in the United States Senate. Yet all these things are in the same tariff classification. Compare it with the scientific classification of the German schedules. We should have a scientific tariff. But whether we do or not, we should have relief from our present tariff. Not only "doctrinaires" and "free-trade college professors" demand this, but many manufacturers themselves. Last week a deputation from many manufacturing bodies called on the President of the United States and the Speaker of the House of Representatives in the interest of tariff readjustment. They demanded not only a more scientific tariff, they demanded also one which should more nearly represent actual business conditions. The appeal was specially significant since it came from Republicans and protectionists. They would not do away with the tariff. But, convinced that tariff readjustment must come before long, they would save the tariff from the more drastic revision of the opponents of protection. It is a satisfaction to be able to forecast the certainty of revision whether Republicans or Democrats win at the coming election. We wish that there were equal certainty that such revision might be founded on the recommendations of a non-partisan Tariff Commission, like that recommended some years ago by President Roosevelt and elaborated by Senator Beveridge in the Tariff Commission Bill now before the United States Senate.

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Limited Reciprocity with France

Every extension in practice of the principle of reciprocity must be welcomed with approval. While we await that revision of the present tariff law which is recognized as desirable alike by Secretary Taft, Governor Hughes, and Mr. Bryan, it is gratifying to find that at least a few stones may be occasionally removed from the high wall which hinders commercial intercourse between different countries, and that the fact is recognized by all parties that, at least in certain places, this wall may be lowered with mutual benefit. The tariff agreement between the United States and France, recently proclaimed by President Roosevelt, on the face of it seems to benefit directly only our Porto Rican possessions, our producers of mineral oils, and our consumers of champagne. Undoubtedly, however, it will indirectly be of general benefit, and it is certainly a good example to encourage broader movements in this general direction in the future. Under this agreement, which goes into effect at once, there is an abatement by the United States of twenty per cent from the tariff duty now imposed on champagnes imported from France, while the latter country in turn agrees to impose only her minimum rates of duty on coffee, cocoa, chocolate, and similar food products (not including sugar and tobacco) which may come from the United States, including Porto Rico. The same benefits of the lowest rates are granted also to all mineral oils from the United States. It is interesting to note, also, that under this agreement a board of three experts from each of the two countries is to be appointed for the purpose of investigating and reporting on the customs administration system of both countries; and this commission, as we understand it, is not at all restricted, in its investigations, to the subject matter of the new agreement, but may inquire into all conditions existing in the two countries bearing upon the practicability of reciprocal tariff concessions. In this provision lies great hope for enlarged commercial relations between France and the United States in the future.

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A Business Man's Opinion

That the general aim of President Roosevelt and his policy of the Federal control of great corporations are becoming more generally understood; and as they are understood more generally accepted by influential business men, is evident by reports from many quarters. Judge E. H. Gary, Chairman of the

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Directors of the United States Steel Corporation, one of the greatest business organizations in the world, at a dinner held in New York City last week followed some humorous references to the President made by another speaker with these significant words:

> I never deal in personalities, and I don't believe in throwing stones; neither do I believe in too much praise. There are questions under consideration at this time of the greatest importance. I want to state that the policy of the present Administration, whether it be criticised or praised, whether its methods be regarded as satisfactory or unsatisfactory, has had a great and personal influence on your president, who happens to occupy a position of great responsibility. In making this personal application to myself I know that the reiteration of the oft-stated principles of the President of the United States has increased my feeling of responsibility toward the stockholders I represent, toward our competitors, toward business men, and toward the public, and that our relations have been improved. I don't hesitate to make this confession. According to my belief, business is done on a better basis and on a higher plane because of what I have referred to.

It has been assumed in some quarters that the President's policy finds its supporters chiefly among enthusiasts and ethical reformers; that it is not only impracticable, but disastrous. As a matter of fact, it has already found acceptance by many managers of great concerns, and by a host of business men who are far-sighted enough to see that the outcome of the policy, even if it should involve some diminution of business transactions for the moment, means the building of prosperity on a more solid basis than ever. Judge Gary put on record his opinion that the country is on the way to great prosperity:

> This country produces annually from the ground not less than ten billion dollars in value, and most of this is made up of necessaries that the people of this country and others need, while a large portion of our expenditures are for luxuries. Therefore a little economy for a year will give this country all the money it needs. In spite of the demagogue or the anarchist, and in spite of everything opposed to prosperity, this country is bound to succeed.

On the same day Mr. George W. Perkins, of the United States Steel Corporation, in addressing the students of Columbia University, advocated Federal supervision of corporations. His belief is that such supervision would benefit not only the public but the investor.

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An Elastic Currency

The Aldrich Bill to provide an elastic currency has been favorably reported from the Senate Committee on Finance, and debate upon the measure is now in progress in the Senate. We have already outlined the measure in some detail. It may briefly be defined as a plan to enable National banks throughout the country to borrow currency from the United States Government in times of financial stringency, pledging for the loan "approved savings bank securities" in the form of stocks and bonds of a general character defined in the Act. A tax, or, to continue the analogy of borrower and lender, a rate of discount, is imposed upon the borrowing banks sufficiently high, it is believed, to compel them to repay the loans to the Government when the crisis is past. With the general purpose and method of the Aldrich Bill The Outlook is in sympathy. It hopes, however, that in the debate, both in the Senate and in the House, the question will be discussed whether it would not be wise and safe to add "gilt-edged" commercial paper under proper conditions to the form of collateral which the borrowing banks may pledge with the Government. The Hon. Lyman J. Gage, ex-Secretary of the Treasury, proposes such an enlargement of the Aldrich plan. Mr. Gage would not impose the burden and the responsibility upon Government officials of determining what commercial paper offered may be considered "gilt-edged" and what not. The task of passing on this form of collateral he would leave to the Clearing-House Associations of certain districts or zones into which the country should be divided for the purpose. While the Aldrich Bill in its present form would provide a certain amount of elasticity in our currency, Mr. Gage's modification, in our judgment, would furnish a currency that would expand and contract much more responsively to the legitimate needs of manufacturers, merchants, and farmers. A correspondent, the president of a National

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bank in the interior of New York State, objects to the six per cent tax on the special currency proposed by Senator Aldrich, on the ground that "banks could not afford to take out circulation as provided in the Aldrich Bill and loan it at a rate less than ten per cent. If I am correct in this, the law would be of no practical benefit." Our reply to this is that the proposed emergency currency ought not to be and will not be used for money-making purposes, but to enable the banks to avoid suspension of payment in times of currency stringency. During the last three or four months National banks all over the United States at certain times practically suspended payment. If depositors had made a persistent and united demand, reinforced by strict interpretation of the law by the courts, nobody knows how many National banks would have failed. In our judgment, National bank officials should welcome this emergency currency, whether they make any profit out of it or not, even if temporarily they have to pay for the privilege of using it, because it will save them from the intolerable position of having to dishonor legitimate drafts and demands upon them. It is to be hoped that both the Senate and the House, in discussing the Aldrich Bill, will bear in mind the wisdom of dividing financial legislation into two parts: First, that which may be enacted immediately, as perhaps a temporary expedient; and, second, the laws that ought to be made as an ultimate and permanent reform of our financial system. The first preparation for this second kind of legislation is, in our judgment, the appointment of an expert commission.

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Railway Rate Regulation

Our readers will remember that last fall the Court of Common Pleas for the County of Pennsylvania decided that the law of that State fixing the passenger rate on all railways at two cents a mile was unconstitutional (Outlook, October 26, 1907, p. 374). This decision has now been affirmed by the Supreme Court of Pennsylvania, but with three dissenting opinions. The Court is unanimously of the opinion that the Legislature has a right to regulate railway passenger and freight rates, and that the Legislature cannot, under the guise of regulation, confiscate the property of the railway; it differs in opinion on the question, What constitutes such confiscation? The Court below held that a just and reasonable rate is one which gives a fair return upon the value of the property employed in the public service, and this implies a profit at least equal to the legal rate of interest, and, as two cents a mile did not, on certain railways of the State, insure such a return, the Court held the act to be confiscatory, and therefore unconstitutional. The dissent from this position the dissenting judge states as follows:

> As we understand the testimony in this case, and as shown by the last published report, the plaintiff company earned during the last fiscal year a net profit of more than eleven and a half per cent upon its capitalization. If the estimate accepted by the court below is correct, as to the probable amount of the reduction in earnings which will be caused by the new statute, it would not reduce the total amount more than one-third of one per cent, and it would leave a net annual return, based upon last year's business, of more than eleven per cent per annum upon the entire capitalization. Legislation permitting such a return as this can hardly be termed confiscatory, or even fairly regarded as tending in that direction. In judging the reasonableness of a rate, the interest of the party for whom the service is performed must be recognized, as well as that of the party performing the service. The proposition that the State may impose a comparatively low rate upon a particular portion of the business of a railroad, provided the company is able to earn a fair profit upon its business as a whole, is supported both by reason and authority.

The reply to this position is thus furnished by the chief judge in rendering the opinion of the majority:

> True business principles require that the passenger and freight traffic not only may but should be separately considered. The intelligent business of the world is done in that way. Every merchant and manufacturer examines and ascertains the unprofitable branches of his business with a view to reducing or cutting them off entirely, and there is no reason why a railroad or other corporation should not be permitted to do the same thing as long as its substantial corporate duties under its franchise are performed. While the public has certain rights which in case of conflict must prevail, yet it must not be forgotten that even so-called public service corporations are privately organized and

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conducted for private corporate profit. And unless necessary for the fulfillment of their corporate duties they should not be required to do any part of their business in an unbusinesslike way with a resulting loss.

We think it safe to say, in view of this position, that the present state of the law in this country on the subject of railway rate regulation involves the following principles, as established, and leaves the following questions to be finally determined: 1. The Legislature has the right to regulate railway rates. The position attributed to Mayor Reyburn, of Philadelphia, that the railway may charge what it pleases for transportation, as a grocer may for his goods, has no legal standing in Pennsylvania, and none, as far as we know, in any State of the Union. 2. This regulation must be reasonable. Under guise of regulation the Legislature may not deprive the stockholders of a fair return upon the capital invested. 3. The question whether the Legislature has done so is one for the courts to decide. 4. How a railway property is to be valued; whether at its actual cost, or at what it would cost to reconstruct it, or at the par value of its stock and bonds, or upon its earning capacity; and whether the franchise is to be estimated as a part of its value; and whether, in estimating a reasonable return upon the capital, the Legislature should consider the freight and passenger returns separately or together, are questions as yet not finally decided.

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Freedom of Contract

The United States Supreme Court has recently rendered with unexpected unanimity two important decisions bearing on the legal rights of the laborer and labor organizations, the first declaring unconstitutional the United States law forbidding the discharge by any inter-State railway of any employee because he is a member of a trades union, the other declaring a boycott which affects a manufacturer engaged in inter-State commerce to be a combination in restraint of trade and so a violation of the Sherman Anti-Trust Law. It is true that in the first case the proceedings on behalf of the discharged employee were taken not against the railway company but against the employee of the company who discharged the plaintiff, but the principles laid down by the Court make it quite clear that the right of Congress, and, by a parity of reasoning, of any State Legislature, to forbid the discharge of any employee by a railway corporation, except as such discharge is provided against by the contract, is denied by the Court. A single sentence taken from the opinion of the Court makes this clear:

> It was the legal right of the defendant Adair—however unwise such a course might have been—to discharge Coppage because of his being a member of a labor organization, as it was the legal right of Coppage, if he saw fit to do so—however unwise such a course on his part might have been—to quit the service in which he was engaged, because the defendant employed some persons who were not members of a labor organization. In all such particulars the employer and the employee have equality of right, and any legislation that disturbs that equality is an arbitrary interference with the liberty of contract which no government can legally justify in a free land.

The Court is equally of the opinion that a law forbidding such discharge is not a legitimate exercise of the power conferred upon Congress to regulate inter-State commerce:

> If such a power exists in Congress it is difficult to perceive why it might not, by absolute regulation, require inter-State carriers, under penalties, to employ in the conduct of their inter-State business *only* members of labor organizations, or *only* those who are *not* members of such organizations—a power which could not be recognized as existing under the Constitution of the United States. No such rule of criminal liability as that to which we have referred can be regarded as, in any just sense, a regulation of inter-State commerce.

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The Boycott Illegal

The boycott case suit was instituted by a firm engaged in manufacturing hats against the Hatters' Union and the American Federation of Labor, of which the Union is a subordinate organization. The complainant alleged that the labor organization had undertaken to compel the manufacturers to unionize their factory, and for this purpose had declared a boycott against the plaintiff's hats wherever they were found, and, as the firm had trade throughout the country, the

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boycott extended to many States, and so constituted a combination to restrain and limit inter-State commerce. That judges as well as laymen are in perplexity respecting the legal rights of laborers and employers is curiously illustrated by the fact that the Circuit Court dismissed the complaint, and the dismissal was affirmed by the Court of Appeals, and that both courts were overruled by the unanimous decision of the Supreme Court. The decision in this case was simply that a combination to prevent the sale of non-union articles in different States is a violation of the Sherman Anti-Trust Law, but it is to be said also that the decision is in harmony with a considerable course of decisions which hold that such a boycott is illegal under the common law. The general principle which may be deduced from the decision of the courts is that a combination of laborers to protect their own interests is not illegal because incidentally it injures other parties; but, on the other hand, a combination whose object is to injure the trade and business of any party is not made legal because incidentally it will help the cause of the employees. Ordinarily a boycott comes under the second designation, and has therefore been held in many of the States to be illegal, even in the absence of any such provision as that of the Sherman Anti-Trust Law. If the effect of these decisions is, as we hope it may be, to inspire labor unions to abandon the attempt to *compel* laborers to join their unions and to destroy the business of non-union manufacturers, and to substitute therefor the more rational endeavor to make union labor so much more skillful and efficient as to draw laborers into the unions and commend the unions to the manufacturers, the ultimate result will be generally beneficial to the cause of organized labor.

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Direct Primaries for Illinois

After much wrangling and political turmoil, the State of Illinois has secured a radical direct primary law. The measure recently enacted by the General Assembly does away with all nominating conventions except those for the selection of delegates to National conventions, Presidential electors, State University trustees, and township and school officials. Even the party mechanism itself is brought within the purview of the law, and party committeemen are made elective by direct vote at the primaries. All parties are obliged to hold their primaries on the same designated day. The voting is by election precincts. The expenses of holding the primaries, including the cost of printing the ballots, is borne by the public. Separate ballots are provided for each party. The voter must announce his party affiliation, whereupon he is given the ballot of his party, containing the names of the candidates for nomination. The names of the candidates are arranged on the ballot under the designation of the office to be filled, in the order of the filing of the nomination petitions. Committeemen are elected in each precinct, and the county central committee is made up of the precinct committeemen for the county. Under this arrangement the county committee for Cook County, containing the city of Chicago, will consist of about thirteen hundred members. The county committees select the delegates to the State convention, which is privileged to frame a platform for the party, besides making nominations for the few positions not coming within the scope of the direct voting. The Act applies to city and village elections as well as to those for selecting nominees for State, Congressional, county, and legislative positions. When Charles S. Deneen was the candidate for Governor of Illinois (in 1904), he made primary legislation one of the features of his campaign programme. He did not, however, specifically commit himself to the direct primary system. The first Act passed after Mr. Deneen's election provided for some direct voting, but it retained the convention. This Act was passed by the Legislature of 1905 in regular session. It was declared unconstitutional by the courts. In 1906 the Legislature, called in special session for the purpose, passed another Act which still retained the convention idea. This Act, too, was invalidated by the courts on grounds that did not affect the vital policies involved. The poli-

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ticians in the Legislature did not wish to pass any primary reform measure of far-reaching importance. On the other hand, the popular demand that the people be given the right to nominate directly was growing ever more persistent. Governor Deneen, who had previously been cautious in his recommendations for primary reform, came out squarely for the system of direct nominations. The elements in the Legislature hostile to his policy and opposed to his renomination for Governor by the Republican party of Illinois sought to embarrass Mr. Deneen by passing a more radical bill than he was supposed to want. Such a measure passed the House by a very large vote. The Senate then emasculated the measure, and the two Houses were at deadlock. Public sentiment, however, finally forced the passage of the bill with not much variation from the radical form in which it was first passed by the House. The first primaries under the new law will be held August 8 next. In future years the primaries for the fall elections will be held on the second Tuesday in April. The passage of the direct primary law is likely to insure the renomination of Governor Deneen.

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For the Preservation of Peace

An esteemed correspondent, who writes not for publication, cannot understand how The Outlook, "in an age when the world is growing weary of the ancient and barbarous methods of defense and of settling quarrels, should refuse to say one word against the wild and wicked squandering of national treasure in the multiplication of the implements of slaughter, when the slums of our cities are increasing with the years, and when ten million ignorant black men are piled up in rotting masses under our flag." We do not doubt that his perplexity is shared by other readers. We have published a number of letters opposing our position respecting the navy, and without replying to them. Nor do we propose now to reply. But our readers have a right to a plain answer to a plain question, and we attempt here once more to define our position in an honest endeavor to meet our correspondents' perplexity.

The first function of government is to protect person and property. It has other functions; but if it fails in this, it fails to do that for which it has been called into existence. It is its duty to protect every individual in the community from violence from other individuals, and equally its duty to protect the community from other communities. The government must protect the citizen in our great cities from footpads; it must protect the railway and the mine in our Territories from mobs; and it is equally bound to protect its citizens in Hawaii and its subjects in the Philippines alike from domestic violence and from foreign aggression. It must arm the police in the cities with clubs; it must arm the militia in the Territories with rifles; and it must arm its police of the sea with ironclads. The navy is the policeman's club for the protection of persons and property in places where neither policemen nor militiamen can give protection. The American citizen in Peking and the American subject in Manila have the same right to protection that our esteemed correspondent has in New York City.

That every man has a right to defend himself is believed by most men; that every man has a duty to defend those whose lives and well-being are intrusted to his keeping is believed by practically all men. One may perhaps choose to surrender his watch or even submit to be mauled rather than resist his assailant; but he may not choose to see his wife mauled or his child carried away by a kidnapper without offering resistance. He may go unarmed in a well-settled and highly civilized community, because the community arms itself for his protection; but if he takes his family into a community where they are liable to be assailed by savages or ruffians, he is bound to go armed for their protection. In the navy the Nation arms itself to protect the persons and property intrusted to its protection. Not so to arm itself is to be recreant to its elemental obligations. These are the considera-

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tions which lead the great body of the American people to subscribe to Governor Hughes's creed: "It is our aim to live in friendship with all nations, and to realize the aims of a free government secure from the interruptions of strife and the wastes of war. It is entirely consistent with these aims and it is our duty to make adequate provision for our defense, and to maintain the efficiency of our army and navy. And this I approve."

What is an adequate navy? Another esteemed correspondent, a clergyman of international reputation, states in a letter, also not intended for publication, the following reasons for thinking that our present navy is not adequate:

> The United States fronts on two oceans separated by thousands of miles, with a seacoast of enormous length, with a very great number of harbors. To defend such coasts requires in itself a large navy, which must be divided into a great number of separate commands. Besides, we have to defend the West Indies, the Hawaiian Islands, and the Philippines. Our present navy is altogether inadequate for the purpose. Massed in the Pacific it might defend the Pacific coast and our islands in the Pacific. But then our Atlantic coast would be without defense. Or, if our fleet should be massed in the Atlantic, the Pacific would be defenseless. If the navy were divided, both coasts would be alike defenseless. If we should be involved in war with Japan, Germany, or England with our present naval force, in all probability we would be driven from all of our insular possessions and have to submit to hostile landings upon our coast.

This statement appears to us conservative and rational—not the statement of an alarmist, not a specious defense of militarism by a lover of the glory of war. That our present navy is inadequate appears to The Outlook highly probable; yet what is an adequate navy The Outlook does not attempt to determine.

It is no concern of the United States to keep pace with European nations in their endeavor to outclass each other in naval equipment; no concern whether the United States or Germany is the second naval power in the world. It is of great concern to the United States that it have naval power enough to protect all its territory and all its citizens in all their legitimate interests in all parts of the world. What is necessary for that purpose we do not know. We do not believe that the critics of the navy know. That is an expert question to be determined by experts. Our position on this subject may be summed up in a sentence, thus: It is the duty of the United States Government, and a primary and fundamental duty, to maintain a navy adequate to protect its citizens and its subjects in all lands; what size and type of navy is adequate for that purpose must necessarily be left to the naval authorities in the Administration and in Congress.

Those who insist on believing that the advocates of an adequate navy are inspired by the spirit of militarism will not be dissuaded from that belief by disavowals; but they might be influenced by reading the letters of Queen Victoria. That she was a lover of peace, that all her influence was put forth to maintain and promote peace, no one who knows her life can doubt. That she believed that an adequate navy was an essential means for the preservation of peace her letters abundantly show. Two sentences from her correspondence must here suffice:

> May, 1856. "With respect to the policy of not too rapidly reducing our naval armaments, Sir C. Wood only anticipates the Queen's most anxious wish on this subject, for we cannot tell what may not happen anywhere at any moment. . . . And it is best to be prepared, for else you excite suspicion if you have suddenly to make preparations without being *able* to state for what they are intended."
>
> May, 1859. "England will not be listened to in Europe, and be powerless for the preservation of the general peace, which must be her first object under the present circumstances, if she is known to be despicably weak in her military resources."

What Queen Victoria here states as a counsel of statesmanship, Maeterlinck has well stated as the counsel of philosophy:

> Our aggressive nervousness, our watchful susceptibility, that sort of perpetual state of alarm in which our jealous vanity moves, all these arise, at bottom, from the sense of our weakness and of our physical inferiority, which toil as best they may to overawe, with a proud and irritable mask, the men, often churlish, unjust, and malevolent, that surround us. The more that we feel ourselves disarmed in the face of attack, the more are we tortured by the longing to prove

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to others and to persuade ourselves that no one attacks with impunity.

It is because The Outlook is a lover of peace that it believes that the United States should have a navy adequate to preserve the peace. To spend more money than is reasonably adjudged necessary for that purpose is criminal extravagance. To spend less is criminal neglect.

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College Athletics Again

Athletics has permanently established itself in American colleges and universities, and those who are skeptical of its wholesome effects have been silenced by obvious results. There is no question that the love of sport and the practice of out-of-door activities have greatly increased the physical vigor and improved the moral life of students; that they have materially diminished the temptations and the practice of the grosser vices; that they have stimulated wholesome rivalries and played no small part in the development of manly qualities. In American colleges, as in English universities, athletics now holds and will continue to hold an important place in the educational scheme; for its educational effect is as obvious as its physical and moral effects. The undergraduates of Oxford and Cambridge receive a training in the fields and on the rivers which, in its way, is as important as that which they receive in the lecture-room or the library. The college life in its entirety is a much larger thing than the college curriculum with its courses of study and its scholarly facilities and implements. Courses and teachers play an immense part in that life; but so also do the students, their ideals, practices, and interests. Many a youth, by reason of his neglect, gets very little of value from his teacher or his work, but no youth escapes the penetrating and molding influence of college ideals and associations. In this life, and in the devotion to these ideals, athletics holds a very important place.

It ought not, however, to hold the first place, and it is quite evident that, for a number of years past, in the estimation of a very large body of students, it has held the first place. So great has been the devotion to sport, so eager the interest in it, and so contagious the enthusiasm, that the student body has inverted the essential values of college life. Some colleges have almost ceased to be intellectual institutions or scholarly enterprises; for many students they have become athletic organizations. As a distinguished American scholar and professor and a master of wit said, "The boys must be amused between the games." The game has become too often the focal point of college life—the chief end of the undergraduate's existence; and recitations, lectures, and laboratory work have become subordinate incidents in that life. Such margin of strength as a man has left after he has played his practice games he is willing to devote to these subordinate pursuits; but his vital interest and his enthusiastic devotion are given first to sport. It has come about, therefore, that intellectual ambition has been checked; scholarship is no longer a distinction; the reputation which once attached to literary talent and surrounded its fortunate possessor with a certain aura of distinction no longer exists. The hero of the hour is the master of the game. This subversion makes college life very pleasant, reduces its discipline to a minimum, relegates intellectual effort to the vanishing point, and organizes a kind of modern mythology in which the young gods live gloriously in college tradition by reason of their heroic achievements on the field.

The tragedy of this inversion of values comes later, when the student discovers that physical prowess is not the determining element in the battle of life; that habits of study, power of sustained intellectual action, the ability to concentrate one's mind, the capitalization of knowledge, the habits and qualities which make up a scholar and a man of intellect in undergraduate life, are essential to success in post-graduate life. The discipline of the game, the self-control, the subordination of the individual to the welfare of the group, which are learned on the field are of great importance; but they must be exalted, heightened, and intensified by another and

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higher kind of training, when men get into the open field of life. Young men do not understand the tragedy of the athletic hero who devotes his time to his muscles instead of to his brain, to his physical instead of his intellectual training, until, in most cases, it is too late to recover lost ground and lay the basis of a concentrated and fruitful professional life.

The trustees of our colleges can render no more important services to undergraduates than to preserve them, as far as possible, from excessive devotion to a class of interests essential to the college life but forming only a part of that life. Every intelligent board will foster a generous physical life and a true love of sport by furnishing every possible facility for physical activity within doors and without; but every board which has the interests of students at heart ought to do its best to correct the distorted sense of relative values brought about by excessive devotion to athletics; the over-emphasis of the element of competition which makes college sports the passionate activity of a few instead of the personal interest of the whole student body, and which has introduced into college life an element of business preposterously large and exacting.

A committee of the Trustees of Williams College has taken a conservative but important action in the direction of sounder relations between the College and its athletic activities. In a report presented last June, President Henry Hopkins declared that while the Faculty rejoiced in the more general participation in outdoor sports, it was impossible to escape the fact that athletics has assumed an undue importance; that it is taking up a disproportionate amount of time, and has gained "an absurd preponderance of interest." The report of the committee presents some significant facts with relation to the number of intercollegiate contests in which the College has taken part, as indicating the exaggerated attention given to these matters and the serious loss of time involved in these games:

The tendencies thus agitating the educators of New England have developed at Williams College during the last eight years as follows: 456 intercollegiate contests have been waged, a yearly average of 57, or more than one for each week of the college year, of which not more than one-half were conducted in Williamstown. Of 221 contests outside of Williamstown, 105 were elsewhere in Massachusetts, 58 elsewhere in New England, 47 in New York State, and 11 in other States, including the West and South. From 1898 to 1907 the total expenditures exceeded $94,000, provided out of receipts exceeding $105,000, or about $10,000 a year.

The average annual distribution of contests was 23 in baseball, 18 in basketball, 11 in football, and 5 in track athletics; and in the eight classes 1900–1907 the average annual number of contestants was twenty-three, including fourteen wearers of the W. The number of contestants has been insignificant in comparison with the number of students in attendance to witness the contests and to cheer their champions; and as much time and attention have been given to preparation and review as to the several events.

The loss brought upon the students by an excess of athletic activity is clearly brought out in the report:

It cannot be gainsaid that in the contestants are developed some of the most valued traits of manhood, such as fortitude, good-humored persistence, judgment, co-operation, and equanimity under defeat; and no wise or sympathetic friend of our youth would wish to deny them just and ample opportunity for the attainment of such ends through such natural and time-honored methods.

But here, as everywhere, there is in our National temperament much that tends to excess, if not to riotous exuberance. That which in moderation may be good, Americans are prone to push beyond bounds. Balance is hardly less important than movement in the rush of the outer world of affairs; and it must be sought in vain if it is not to be found or cultivated in the academic groves.

Our College was founded and is maintained principally through the gifts of serious-minded men and women, who have denied themselves in order that generous youth here may pursue those liberalizing studies which shall establish them as men of intellectual power and of integrity of character. These foundations have been committed for administration by this Board of Trustees, which would fail in its duty were it consciously to allow this primary purpose of the College to be thwarted by the predominance of any contrary influence. It would be the duty of the Board, if necessary, to allow the number in the College to decline until it should comprise only those observing its primary purpose, rather than to seek enlargement by the general admission or the retention of those who would be students only in name, and whose

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interests and ideals would be alien to those of our institutions.

These facts, in the judgment of the committee of the Williams trustees, indicate great danger of departure from the ideals of the College as an intellectual institution, and press home upon the trustees the duty of maintaining the standards of liberal education, which constitute the real interest of the student body: "the elevation of intellectual above physical ideals, though without ever forgetting the continuing importance of the sound body for the sound mind." The Williams trustees have taken the initial step toward securing the proper readjustment of athletics to the college life by limiting intercollegiate games to institutions within two hundred miles of Williamstown. This measure will not diminish by an hour the time appropriately given to real sport; but it is a first step taken in the interest of students to deliver them from a false view of what the College stands for; to put them in the right attitude toward college work; so to direct their energies and interests that those things which occupy them in college shall directly and inevitably fit them for leadership in the world; to conserve the intellectual traditions which have been the distinction of the College from the beginning; and to reinvigorate the intellectual and scholarly ambitions which have made the colleges in every age the pasturage of great spirits.

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The Criminal Law and the Rich

As he boarded a street-car in New York a week ago last Saturday, a passenger, with an afternoon paper in his hand, was accosted by the conductor: "What's the verdict in the Thaw trial?" "Acquittal on the ground of insanity." "Humph! If it had been me, I'd 'a' been dead long ago. Money can do everything in this country." That opinion, if it were multiplied by millions, would be serious for this Nation. There is no doubt that the course of this, one of the most notorious homicide cases in the history of the United States, has done much to encourage, if not to justify, this rebellious view. It has not given ground for any suspicion of the integrity of the courts; it has made clear, however, that the law allows a rich prisoner to take measures in his own behalf which a poor prisoner cannot take: to send to Europe for witnesses, to hire experts to testify on his behalf, to engage counsel who can command high fees because they are skillful in taking advantage of technicalities, in getting hearsay evidence before the jury under other guise, and in using rhetoric in place of argument. He is thus able to prolong a trial in which justice to the community demands speed, and to use devices which the single consideration of justice would disallow.

There is need for reform in the criminal procedure of New York State at least. There is much testimony now admitted which a judge ought to feel free to rule out without fear of reversal on a technicality. There is evidence of a purely technical sort which should never be submitted to a lay jury by antagonistic experts engaged on either side, but should be gathered and passed upon by impartial experts responsible only to the court. There is need, too, for improvement in the attitude of juries toward their duty. It is not the business of a jury to dispense justice apart from the law; neither is it the business of a jury to adjust the application of the law to particular cases; it is the business of the jury to decide questions of fact. In this respect English juries, as Mr. George W. Alger has suggested in The Outlook, are far more conscientious than the juries of the United States. Above all, there is need of wholesome reaction against the present sentimental attitude of the public toward such trials as this. It is monstrous that the American people should have allowed the daily press to focus their attention for a great part of two years on a degenerate whose life, devoid of the least glimmer of romance or even desperate adventure, has been only stupid and sordid. It ought to be said that of the two trials, the first ending in a disagreement, the second, as stated, in an acquittal, the latter was comparatively free from the more flagrant abuses.

After the verdict the slayer of Stanford

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White was properly committed at once by the presiding judge to the State asylum for the criminal insane. A man who commits a deed which can be condoned only on the ground of deep-seated insanity should not be allowed at large. If ever he should be released, it ought to be only because he shall have succeeded in positively proving to an impartial expert body, not merely that the insane impulse has passed away, but that the insanity has been so permanently cured and the power of ordered self-control so permanently established that in him there is no longer any menace to the community.

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The Spectator

The Spectator slowly climbed the stairs to the Family Circle. He was early, but he had not outstripped the most of the Family. They were scurrying past him, eager, impatient for the keen bliss which lay up aloft, reckless as to their breath. The Spectator smiled at them tolerantly. He knew he should probably come upon them, spent and gasping, at the foot of the next flight; but surely such abandon was better than the languid indifference with which a few people were drifting in through the great front doors on Broadway. Ah, the Family Circle! The Spectator had had reason to expect the offer of a seat in the parquet for this particular evening. Therefore he had hurried to the box office, had stood in line an hour, and had bought his transcendent magenta ticket, committing him to the stars. The opera was to be the "Götterdämmerung;" the Spectator needed the Family for that high solemnity.

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Arrived at his seat, he stood for a moment exulting in the sense of height and space which his situation afforded. Far down below him the boxes lay, curving in the fashionable emptiness of 7:35; a strip of the parquet was visible, dotted thinly with heads; the dress circle was also inert. Then the Spectator glanced around him. At once he felt a warm glow at his heart, and, taking off his coat and his gloves, he sat down, and the Family received him. The steep and narrow ranks of the seats were already crowded, teeming. Eager faces leaned close together, studying huge books of the score; voices uttered swift comment and question; young laughter tripped a word up here and there; excited murmurs arose. Alive, alive is the Family; it knows no lassitude.

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Directly in front of the Spectator sat a young woman in a blue flannel waist. The Spectator knows that young woman well; she is one of the Faithful Elect. The impulse which first set her climbing the heights was purely musical, no doubt, and far be it from the Spectator to question the permanence of her artistic delight. But even art may receive enhancement from the continued respectful presence of a young man in a shabby velveteen jacket just around the curve of the seats. They had never yet spoken to each other, the owners of that blue flannel waist and that velveteen jacket, to the Family's growing impatience. When two people's eyes have sung together Elsa and Lohengrin, Siegmund and Sieglinde, Brunnhilde and Siegfried, *and* Tristan and Isolde, with the whole immediate Family joining in as an improvised chorus, still to hold off and sit alien and proper seems an affront to simplicity. And on simplicity and directness the Family prides itself. The young man was already in his seat. He and the young woman exchanged one small glance, then fell to reading their programmes. Next to the young man sat an amiable old gentleman in a shiny frock coat with a crimson tie. He also was a familiar figure. His long white locks had formed a consistent part of the foreground to the members of the Family immediately behind him on so many evenings that doubtless there would have seemed something wrong with the stage setting if the gentle feature had vanished.

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The instant the lights began to go out a hush fell over the Family. It was a restful, quiescent hush on the part of the elder members, blissfully expectant; but the young men were aggressively

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still. They defeated their own end, according to the custom of youth, by greeting the first strains of the orchestra with a warning hiss, lest possibly any Philistine might still be engaged in conversation. But absolute silence settled at once, and the Family's true life began.

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To those who do not know for themselves, it is hard to set forth the peculiar nature of Family Circle enjoyment. Not on its own unaided strength does any little life have to rely in the crisis which besets it; but altogether the Family lends hundred-souled attention, with the great result of a heart like the world at the service of all its members. As the opera unfolded itself, deepening in its tragic power, the Family began to take on characteristic attitudes. A stout, phlegmatic, middle-aged German suddenly cast his arms abroad in a gesture of despair and buried his head in his hands. The Family glanced at him tenderly. He would recover when the curtain went down, and would retire to the back of the house to eat a sausage-roll; but meantime his grief was terrific. A slim young girl in the front row laid her head in her arms on the railing, and her programme fell over the void. There is this most comfortable point of all about the Family, that whatever it feels it straightway expresses, wildly, extravagantly, if you please, but with an unerring directness. And because of this habit, it naturally felt a distinct vexation as it peered through the gloom at the girl in the blue flannel waist and the boy in the velveteen jacket, and saw them still sitting immovable.

❀

When the curtain went down and the lights flashed out, the white-haired old gentleman next the young man was discovered to be in a state of collapse. He sat all bowed over, his head in his hands, and he trembled excessively. The Family looked at him with concern; he had never been known to give way to his feelings before. The Spectator was especially moved; he loves the good old man. He leaned forward (was it Fate that impelled him, or a sub-conscious co-operation?), and touched the girl in the blue flannel waist. He had seen her go out sometimes with the old man; he knew they must be acquaintances. "Go to him," he entreated. The girl turned and gave the Spectator a look. Such a look! The Spectator ponders it yet. So wide and startled, withdrawing a little, yet suddenly purposeful. Then she rose. "Will you take me?" she asked.

❀

The Spectator never had had a daughter before, but he had one for five minutes that evening. The Family audibly held its breath as he led the girl to the quivering old man. As for the boy in the velveteen jacket, he went pale as his programme, and his eyes dazzled the Spectator.

"Oh, thank you, my dear!" the old gentleman gasped. "The truth is, I'm in a terrible draught. You don't feel it. No? Well, then would you mind changing seats with me? You're young; you won't notice it, probably. Ah, thank you! How kind you are!"

❀

The Family being what it is, it seems almost a wonder that instant shouts did not rend the opera-house at this consummation. But only a vast, contented sigh stirred the close-packed rows, as the gleefully chuckling old man and the Spectator—thoughtful and a little perturbed at what he had done—made their way back to their seats. It may be that the thunders of applause at the end of the opera were somewhat more obstreperous than usual from the Family Circle. But then Brunnhilde had sung her love in a transcendent manner. They say that artists have very quick ears; perhaps the great singer heard an echo aloft which stirred her to her rapture.

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"What a queer old duffer you are!" A friend slid his arm through the Spectator's, as the latter stood dazed and hesitating on the corner of Broadway. "Poking off to the opera all alone!"

The Spectator came slowly out of his dream, and shook himself, and smiled.

"Well, I wasn't just what you would call alone," he answered. "No, decidedly, not quite alone,"

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A REPUBLIC IN THE REPUBLIC

BY LYMAN ABBOTT

IN 1890 Mr. William R. George, a citizen of the city of New York, who had his summer home in Freeville, New York, nine miles from Ithaca and about twenty-five from Auburn, brought to the neighborhood of his native village a group of fifty fresh-air children. The neighbors sent in supplies of food and clothing to such an extent that the next year the number of his summer guests was doubled. The supplies kept pace with the guests, and for the five years 1890–5, with the co-operation of sympathizing citizens in that part of the State, he provided each summer for two or three hundred boys and girls. The food and clothing were given to them; the necessary discipline—and a good deal of discipline was necessary—was exercised autocratically but beneficently over them by Mr. George. His previous experience in New York City, where he had taken an active part in reform politics and had sometimes acted as a special policeman in endeavoring to exercise some beneficent control over the gangs of hoodlums which infest the city, had given him a knowledge of city boys that not many men in mercantile business possess.

Perhaps partly for this reason, the results of his summer experience were not satisfactory to him. The children had a good time and were physically benefited, but he could not discern any adequate improvement in character. The reception of the clothing as free gifts produced more grumbling than gratitude. As the early fall came on, farmers in the neighborhood brought in apples which were poured on the ground, and the neighbors gathered about to see the children scramble for them. Grab-apple day was an occasion of amusement to the bystanders, but Mr. George did not fail to see that it was promoting that spirit of greed and that ambition to get something for nothing which he had seen to be in the city a prolific source of crime. The fourth summer he resolved on a change of policy, and he announced to his summer colony that thereafter the colonists must earn their clothing by labor. This order they resented. They knew that the clothing had been given to Mr. George for them, and they refused to work for it. In other words, they struck. Fortunately, their striking did not put Mr. George to any inconvenience. He could wait. For Mr. George has the gift of invincible patience; he never makes haste, which is one secret of his success; and this was clearly a case of "patient waiting no loss." One boy desirous of some article of clothing concluded to work for it; a second boy followed his example; then a third; and before the summer was over they were all at work, earning what before they had received as charity. Grab-apple day was abolished. And when the children returned to the city in the fall, they carried home with them not only the capital which they had earned, but also a sense of the dignity of labor, an appreciation of the value of property, and a certain experience of self-respect which was as pleasurable as it was novel. Both Mr. George and the children had learned the first truth which underlies the subsequently organized George Junior Republic: Nothing without labor.

The next lesson was learned the following summer. These hoodlums from the city were untrained wild animals. They had not much more conception of the rights of property than untrained wild animals might possess. Robbery of neighboring orchards was a common offense. Every morning after chapel exercises the culprits of the day before were arraigned and corporal punishment administered before the rest of the children. It was a most distasteful task, but seemed most necessary. Even so the presence of this community was resented by those whose orchards had been despoiled. One morning two boys sullenly awaited punishment, which the onlookers expected with a curiosity dulled by frequent repetition. To the first it was a private vengeance, to the second

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a brutalizing sport. Suddenly a thought flashed into the mind of the reluctant judge and executioner, and he proceeded at once to act upon it. He turned to the callous spectators and startled them by saying: "Boys, you shall hear what Lanky and Curly have to say for themselves, and decide whether they are guilty or not." The spectators straightened up and looked interested. Lanky turned to his companion and said in an audible whisper, "This is goin' to be a lead-pipe cinch." Then he turned to his companions. "I hain't stole no apples," he cried, with a grin. But the grin was not reflected on the countenances of his newly appointed judges. The grin faded out of Lanky's face, and he tried a new defense: "Youse all stole apples," he said. The answering silence was ominous. He tried once more: "I didn't steal no apples; Curly stole the apples." This was too much, and cries of "Shame, shame!" greeted his latest effort. He sat down discomfited. "Guilty or not guilty?" asked Mr. George. Silence. A friend of the court in the rear rose to explain. "Daddy George means, did he done it or didn't he done it?" he said. "He done it," came without a dissenting voice, and the punishment which followed was given with the approval of the crowd. When Curly's turn came, he had learned his lesson; confessed; was sorry; vowed he would steal no more; and the democratic jury pronounced him guilty, but recommended him to the mercy of the court. "He done it," they cried, "but go it as easy as you can on Curly;" and the executioner heeded the recommendation.

This was the beginning of criminal jurisprudence. The next step was a natural though not a necessary consequence. There was stone to be broken and a road to be made, and Mr. George resolved to substitute hard labor for corporal punishment. The day this change was made, he overheard one convict saying to another: "Say! I wish he'd given us the lickin' and let us go; 'twould be all over by this time." He soon discovered that other boys were of the same way of thinking; for the offenses were reduced one-half after the boys became judges and the punishment became hard labor. But there was still one more lesson which had to be learned. One morning Mr. George's assistant was sick. Mr. George could not sentence the offenders to hard labor with no one to oversee them, nor could he bring himself to a return to corporal punishment. Another inspiration came to him. One of the oldest and biggest boys in the whole summer community he had been wholly unable to reach. All advances were sullenly repelled with a stolid indifference. Mr. George's eye lighted on this boy. "Banjo, come here," he said. The boy rose, and came doggedly forward, expecting himself to be called to account for some hidden offense. "I appoint you sheriff," said Mr. George; "it is your business to see that these boys do their work." Banjo straightened up; sunshine struck into the sullen face. "I'll make 'em hustle," he said. And he did make them hustle, and to such good purpose that there were no more offenders to come before the court for trial and punishment in the comparatively few days that remained of that summer season. Mr. George had learned his second lesson: Lawbreakers can be turned into lawmakers.

"That fall, after the children had gone home," said Mr. George, telling to some friends the story of his experience, "I tried to think the matter out. I had already resolved to make them earn their clothing; why not also make them earn their food? No! that would never do. But why not? They would have to earn their food in the outer world, and learn the hard lesson, If one will not work, neither shall he eat; why teach the opposite lesson here? Yes! They should earn their food. But if they are to earn their living, industries must be organized to enable them to do so. But how? For what they can produce will not bring in the world's market money enough to pay the cost of decent living. We must have a currency adapted to their needs, which this community will accept as its medium of exchange. And a bank? Yes! a bank, where they can deposit their earnings, and by which they can acquire habits of thrift. And when they go out, the money of this

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community must be exchangeable for the money of the United States. They will thus become property-owners. Then their property must be protected. How? They have proved that they will execute the laws I make for the protection of property outside. Why not trust them to make laws for the protection of their own property? Yes! We will have a legislature to make laws, and a court for the trial of offenders. The boys shall make the laws as well as execute the laws. What shall I call this organization? I have never known anything quite like it before. And yet it seems familiar. Yes! it is self-government; it does not differ materially from self-government among men. It is a republic of boys! That shall be its name: The Junior Republic."

Such was the birth of the George Junior Republic. It now has as a territory a hundred and fifty acres of land owned by the Board of Trustees, and the practical use of a hundred and fifty more belonging to Mr. George and some other friends of the Republic who have made their home here because such residence affords them an opportunity to give guidance and inspiration to the boys and girls. The citizens, *i.e.* the boys and girls in the Republic, number upwards of a hundred and fifty. They are in some cases signed over to the Republic by the parents, in other cases practically committed on suspended sentences by the courts. They are extraordinarily free within the territory, but are not free to leave it. Laundry, baking, carpentry, and printing are the principal trades indoors; road-making and land improvement the principal industries out-of-doors. There are two jails, one for the boys, one for the girls; a library, a school-house, a chapel, a bank, and a well-organized banking and currency system. There is a court, and there is a judge, who is elected every year by the citizens. From this court an appeal lies in certain cases to a Supreme Court chosen by the boys from the Board of Trustees, but this court only passes on the regularity of the proceedings in the court below, that is, on what might be regarded as equivalent to constitutional and jurisdictional questions. There are a President, a Vice-President, a Secretary of State, and a Secretary of the Treasury, all of whom are elected annually; the three latter officers constituting the Police Commissioners, the Board of Health, and the President's Cabinet. There are both a girl and a boy District Attorney, who are appointed by the President, and certain police officers and prison keepers. All citizens of the Republic, both boys and girls, over fourteen years of age are voters; no one can remain a citizen after twenty-one. The legislature has been abolished by the citizens themselves, and all laws are made in town meeting, which is held once a month.

All questions which concern the relation of the Republic to the outside community—that is, the equivalent of international relations—are determined by Mr. George and the Board of Trustees; all domestic questions are determined by the citizens, who make all the laws, try all offenders, and execute all punishments. The laws of the State of New York are, of course, authoritative over the Republic and are enforced by the court. Thus, attendance on school is compulsory. So are the sanitary regulations of the State and the township. But all other laws are made by the young citizens themselves. No regulations respecting domestic matters are ever made by the Superintendent or the Board of Trustees. The Republic is as absolutely self-governing as any State in the Union, except that, as the State is subject to the Federal Constitution and laws, the George Junior Republic is subject to the State Constitution and laws. When, a few seasons ago, the Republic, inspired by the example of New Zealand, passed a compulsory eight-hour law, making it a criminal offense for any citizen to work over eight hours, Mr. George did not interfere. The girls rose as usual at half-past five, had breakfast ready at half-past six, brought their eight-hour day to a close at an early hour in the afternoon, and the labor reformers went supperless to bed. As a result, a special town meeting was immediately called, and the compulsory eight-hour law was promptly repealed. Laws against profanity and obscenity in conversation have been enacted by the community, and

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are much more rigorously enforced than similar laws in the world outside. So the laws against vagrancy are strict and strictly enforced. When a boy comes to the Republic, he is left to find a job as best he can, with generally ready help offered him by his fellow-citizens. If he decides that he does not wish to work at all, he soon finds himself reduced to beggary, and beggars are promptly sentenced to the workhouse, where labor is compulsory. But all this is of the citizens' own creation, and is by the citizens themselves enforced.

The fundamental principles which Mr. George has discovered and applied in the creation of the George Junior Republic appear to me to be worthy of the consideration of all students of political philosophy, and of all legislators—municipal, State, National. Three forces incite the hoodlums of New York City to crime—the desire for property, which easily becomes a desire to get something for nothing; the love of adventure, which in a city is most easily satisfied by adventures with the police; and love of applause, which is most easily earned by the kind of daring which adventures with the police involve. Whether the boy gets the better of the police or the police get the better of the boy makes but little difference; in either case he is a hero to his gang. Society leaves these three forces all working on the side of crime, and endeavors to counteract them by the deterrent power of fear of penalty—and it fails. Mr. George attempts to enlist all these powers on the side of law and order—and he succeeds. The boy who can be made a "cop," a judge, or a president, becomes the hero. The spirit of adventure is satisfied by keeping the lawless newcomers in order and making them obey the laws of the commonwealth. And wealth waiting on industry and hunger waiting on idleness combine to teach the pupil the very necessary lesson that has become one of the mottoes of the Republic—"Nothing without labor."

The Republic has been in existence long enough to give the experiment a fair trial, and the results justify the expectations of its friends. In round numbers, about five hundred have gone out from the Republic into life, most of them taken from the class of boys and girls whose environment was fruitful of crime and whose tendency was toward a criminal career. Of these five hundred two or three are known to have returned to crime, and five or six have disappeared entirely. But of these eight or ten failures not one was in the Republic more than a few months—not long enough to get the benefit of the training. The other four hundred and ninety are known to be earning an honest livelihood by honorable labor; and of these four hundred and ninety, twenty have either graduated from college, are now in college, or are just preparing to enter college. At this writing two new Republics are about being organized, one in Georgia and one in California; and a movement is on foot for the organization of a National Association, the object of which will be to aid citizens in other States who wish to organize Republics, by giving them information, and perhaps also by furnishing them trained assistants to initiate the work. But while these facts are narrated with both gladness and hope, they are almost counterbalanced by the fact that, for lack of a few thousand dollars—the present debt of the Republic is seven thousand dollars—it has been decided to be necessary to close one of the cottages; and this will necessitate sending back to the slums and to the atmosphere and companionship of crime about twenty boys and girls who are now on the highroad to honorable and self-respecting lives. "Daddy George" tells me that even two thousand dollars given to him to-day would prevent this cruel tragedy.

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THE RAILWAY OWNERSHIP OF COAL MINES

BY FRANK JULIAN WARNE

IN April, 1905, Logan M. Bullitt, a Philadelphia lawyer, was elected President of the Red Rock Fuel Company, a corporation organized for the purpose of mining coal in the Fairmont district of West Virginia. His election had an unforeseen but profound effect upon all concerned in the coal-mining and coal-carrying industries of the United States.

When Mr. Bullitt became President of the Red Rock Fuel Company, he was at the head of a mining concern which, like innumerable other independent coal-mining companies, had repeatedly failed in securing facilities from the transportation monopoly in West Virginia for conveying their output to market. But Mr. Bullitt was a fighter, and instead of surrendering in despair and going out of business, as had many other operators, he determined to measure his strength with that of his powerful oppressor, the Baltimore and Ohio Railroad Company. So, after he had exhausted all resources at his command to induce the officials of the railway company to permit a side-track connection between their line and a switch or side track leading to his company's coal mine, President Bullitt transferred the struggle to the Inter-State Commerce Commission.

Out of this body came the first shock to the scheme of railway ownership of coal mines which had grown up and which was extending so rapidly that there was a prospect that nearly all the coal lands of the entire country might soon come into the possession of the railways. The Commission, in its decision, not only favored President Bullitt's contention, but found that the Baltimore and Ohio Railroad Company "controls, through ownership of capital stock, large coal-mining enterprises in the Fairmont district, which, during the year 1904, shipped more than one-half of the tonnage from that district." It appears, says the decision, that the defendant, by continuing its policy of denying these facilities to applying owners of coal lands, "may practically control in its own interest all of the undeveloped coal in this field, as well as derive greater profits from its own holdings in mines directly developed in that section."

But it was one thing for President Bullitt to get a favorable decision from the Commission, and an entirely different and a more difficult one to have that decision become effective. To this end the fight was carried into Congress, supported by a public appeal to that body from Governor Dawson, of West Virginia, in which he prayed for relief to the people of the Little Mountain State from the oppression of the "transportation monopoly" as represented in the Baltimore and Ohio Railroad Company. The principles involved at once became conspicuous in the Administration's railway regulation programme, which at that time was agitating the country. Out of the discussion in that body came the Tillman-Gillespie joint resolution, which provided for a thorough investigation by the Inter-State Commerce Commission of the relations existing between the railways and coal-mining companies.

The startling disclosures resulting from this investigation showed that many railway companies owned coal-mining companies; that officials high in the traffic counsels of railway companies were not only financially interested in coal companies but accepted their stock as free gifts, such possessions of one official alone exceeding $350,000; that other presents were received by railway officials from coal companies; that such coal-mining companies were favored in the distribution of cars and in other ways by these railway officials, while competing companies and shippers were discriminated against in the allotting and distribution of cars, as well as in the supplying of facilities and instrumentalities for receiving, forwarding, and

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carrying coal. The Commission's investigation had not proceeded far before the public became impressed with the belief that the private coal-car system, as then in operation, was a very grave evil and was being subjected to serious abuses, injurious to the public, and that the systems or methods of the railway companies in allotting cars were unfair and unjust to independent shippers not in favor with the railway officials in charge of their distribution. The investigation also proved conclusively that individuals and independent companies in large numbers had been forced to sell their coal properties at a loss to rivals having railway favor. In one case a large coal company was forced to take into partnership a railway-owned mining company without cost to the latter for thousands of dollars' worth of stock in the former. The evils of industrial promotion were glaringly illustrated at different stages of the investigation, one case, for instance, disclosing that officials of one coal company purchased as individuals a competing coal company, and then bought it from themselves, for the company of which they were officials, at a clear profit to these two men of $249,900. Throughout the investigation much of the testimony exhibited a most shameful record of low corporation ethics, by which so-called financial transactions were in reality actual thefts, and by means of which unscrupulous officials had accumulated individual fortunes at the expense of their stockholders and the consuming public.

In brief, the disclosures of the Commission's investigation were of such a nature as to put many of our leading transportation systems on the defensive in public statements of explanation by their high officials, and to justify Congress embodying in the Hepburn Act the following provision:

"From and after May 1, 1908, it shall be unlawful for any railroad company to transport from any State, Territory, or the District of Columbia, to any other State, Territory, or the District of Columbia, or to any foreign country, any article or commodity, other than timber and the manufactured products thereof, manufactured, mined, or produced by it, or under its authority, or which it may own in whole, or in part, or in which it may have any interest direct or indirect, except such articles or commodities as may be necessary and intended for its use in the conduct of its business as a common carrier." For each offense against this provision the Act places a penalty of five thousand dollars.

The Hepburn Act was approved June 29, 1906. Two months prior to this date the Baltimore and Ohio Railroad Company sold, for about five million dollars, its majority holdings of fifty-three thousand shares of Consolidated Coal Company stock, and officials of the railway resigned from the Board of Directors of the Consolidated Company. Control of this coal company carried with it control of other large coal-mining companies, such as the Fairmont Coal Company, etc. In July of the same year President Cassatt, of the Pennsylvania Railroad Company, issued an order, as a result of an investigation by that company's board of directors, to the effect that "all officers and employees are required to divest themselves of any interests, direct or indirect, that they may have in stocks of any coal companies or in any firms or with any individuals owning or operating mines located on the Pennsylvania system, or dealing in coals produced therefrom, and also to divest themselves of any interests, direct or indirect, they may have in any companies or firms or with any individuals engaged in any other business where the holdings of such interests might in any way conflict with their duty to the company or the company's duty to the public." The Pennsylvania Railroad also disposed of its majority ownership of the stocks of the Chesapeake and Ohio, the Norfolk and Western, and the Baltimore and Ohio Railroad Companies, all soft-coal hauling systems.

While these and similar important changes in the relation of railways to soft-coal mining companies have been brought about by recent Federal legislation, the status of the carriers and the anthracite-mining companies remains unaltered as yet. But there is no doubt that the provision of the Hepburn Act above quoted is sweeping, and that it affects the relation of anthracite-hauling railways to coal-mining companies, even if it is true, as is the belief in some quarters, that this clause of the Act was intended

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specifically for the soft-coal hauling systems. This belief is seemingly supported by the fact that the investigation authorized by Congress and conducted by the Inter-State Commerce Commission was confined to the bituminous-coal carrying roads.

It is a question of serious doubt if the enforcement of this provision of the Hepburn Act will bring about any very radical change in the relation of the anthracite transportation and mining companies. It differs not at all in its object from a clause in the present Constitution of Pennsylvania, by which latter the people of that commonwealth expressed, as far back as 1874, and in unmistakable terms, the principle which they believed should govern the relation of railways to coal-mining companies. Section 5 of Article 17 declares that—

> No incorporated company doing the business of a common carrier shall, directly or indirectly, prosecute or engage in mining or manufacturing articles for transportation over its works; nor shall such company, directly or indirectly, engage in any other business than that of common carriers, or hold or acquire lands, freehold or leasehold, directly or indirectly, except such as shall be necessary for carrying on its business.

Thus the plain intent of the law, both State and Federal, is in opposition to the desires of the few owners of the greater part of the capital represented in the anthracite industry, and those desires have so far set at naught the provision of the law. And the same explanation as to why the people of the great State of Pennsylvania have been powerless to enforce the plain intent of their sovereign enactment during the past thirty-three years will probably apply in the present instance, even allowing for the difference between State and Federal sovereignty. And this explanation is to be found in the intricacy and complexity of the corporate organization by which the "system" now dominates the industry.

Eight important railway systems now exercise an absolute monopoly over hard-coal mining, and the limits of a single article will not permit of a treatment of each in detail. Together they own more than nine-tenths of the entire anthracite deposits of Pennsylvania, and about three-fourths of the total production is mined by their subsidiary coal companies. Thirteen of these companies produce more than seventy-five per cent of the total output, and employ about seventy-four per cent of the total labor. The organization of the relation of some of these railways to their coal-mining companies is such that the enforcement of the Hepburn Act will bring about a change, but as regards the most important of them all—the Reading—its organization will probably not be materially affected by the Federal law. Besides the Philadelphia and Reading Railway, the other hard-coal hauling systems are the Central Railroad of New Jersey, the Lehigh Valley, the Delaware, Lackawanna, and Western, the Pennsylvania, the Delaware and Hudson, the Erie, and the New York, Ontario, and Western. Nearly all these railway companies, for all practical purposes, engage in the mining of hard coal through subsidiary companies—that is, separately chartered mining companies owned either by the railway company itself or by the company owning the transportation company. An exception is the Delaware, Lackawanna, and Western, which, owing to the antiquity of its charter, mines coal in its own corporate capacity. The more important of these coal companies are the Philadelphia and Reading Coal and Iron Company, the Lehigh and Wilkesbarre, the Lehigh Valley, the Scranton Coal Company, the Delaware and Hudson Company, the Pennsylvania, and the Hillside Coal and Iron Company.

Confining ourselves to a brief analysis of the Reading system, it will be apparent how its organization can make of no appreciable effect the enforcement of this clause of the Hepburn Act. This system practically dominates the policy of all the other anthracite railways and coal-mining companies, controlling directly as it does about one-third of the entire anthracite output, and owning more than sixty-three per cent of all unmined deposits. The corporate head of this system is the Reading Company, chartered by the State of Pennsylvania in May, 1871, as the Excelsior Enterprise Company, and from January, 1873, to December, 1896, known as the National Company. Under its charter

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the Reading Company is granted authority to make purchases and sales of, or investments in, the bonds and securities of other companies, etc., and in the exercise of these powers it now controls, through stock ownership, more than seventy-five different and distinct railway, mining, bridge, terminal, and other companies, each of the seventy-five being a corporate entity in itself, with specified rights and privileges. For our present purpose we can dismiss from consideration all but five of these companies in order to confine ourselves to the more important ones.

Under the control of the Reading Company, through its ownership of a majority and in some cases of all their capital stock, are the Philadelphia and Reading Railway Company, the Philadelphia and Reading Coal and Iron Company, the Central Railroad of New Jersey, and the Lehigh and Wilkesbarre Coal Company. The first-mentioned transportation company carries to market practically the entire output of the first-mentioned coal company, and, similarly, the same close relation is practiced between the Jersey Central Railroad and the Lehigh and Wilkesbarre Coal Company. However close these relations in practice, and however much they may violate the plain intent of the Hepburn Act, the fact is, legally, that the railway companies do not own and have no control over the coal companies. Neither the Philadelphia and Reading Railway Company nor the Central Railroad of New Jersey transports coal mined "by it, or under its authority, or which it may own in whole, or in part, or in which it may have any interest direct or indirect," to quote the prohibition clause of the Hepburn Act. But the Philadelphia and Reading Coal and Iron Company, and the Lehigh and Wilkesbarre Coal Company, whose respective output these railways transport to market, are both owned by the Reading Company, which also owns the railway companies. That is to say, the Philadelphia and Reading Railway Company and the Jersey Central do not engage directly or indirectly in the mining of coal, while the Philadelphia and Reading Coal and Iron Company and the Lehigh and Wilkesbarre Coal Company, owned by the same company which owns the railway companies, do engage in coal-mining.

The president and directing head of these five companies, as well as of the seventy and more other companies in the Reading system, is one and the same individual—Mr. George F. Baer. As president of the railway companies Mr. Baer determines their policy towards the mining companies of which he is also president; and, *vice versa*, as the head of the coal companies Mr. Baer regulates their business relations with the transportation systems by co-operating with Mr. Baer, president of the railway companies. And then, if there is any uncertainty as to the legality of these policies, he has the advice and approval of Mr. Baer, of the Reading Company, which latter owns all the others.

There is no statute preventing one and the same individual from acting as president of more than one company. In consequence, notwithstanding the fact that the same individual occupies these multitudinous positions and performs the duties of the respective offices, by a legal fiction Mr. Baer, as president of seventy-five and more railway and mining companies, is recognized by law as being just that many different and distinct individuals.

But not all Mr. Baer's corporate acrobatic feats in the anthracite coal industry have been referred to. He is also President of the Temple Iron Company, of which officials of the other coal-mining companies are directors. Thus they are able to make effective their community-of-interest sway over all the coal companies in securing unity of action in limiting or controlling the output, in fixing the price of coal, and in determining the score and one policies which confront them. A somewhat similar community-of-interest arrangement also exists among the anthracite-carrying railway companies, their boards of directors being so organized that each road has representation in some one or more of the other boards. That is, it has been estimated that eleven men occupy twenty-nine positions as directors in the boards of seven of the hard-coal hauling companies.

Such, in general outline, is the so-

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called anthracite coal trust. It cannot be driven out of existence by the ownership-prohibition clause of the Hepburn Act, nor is the enforcement of that provision likely to affect seriously the internal organization of this monopoly. And it is well, perhaps, that it is so, for the evils against which this ownership-prohibition clause is directed no longer exist in the anthracite industry, although they were conspicuous among the bituminous-coal carrying roads at the time of the enactment of the legislation in question. Among the hard-coal companies, for instance, the distribution of cars is now made on a mine-production percentage basis, which seems to work satisfactorily to the independent operators still in the industry. Besides, the region is now so divided up among the railways that there cannot very well arise any such questions of discrimination and favoritism as the Commission's investigation disclosed to exist in the soft-coal trade. Then, too, in the regulation of anthracite production the community-of-interest agreement gives to the producing companies alike sixty-five per cent of the price of coal at tide-water. It is to be regretted that the two coal industries could not have been dealt with in separate legislative enactments, because the conditions are so radically different that the same general law aimed at bringing about good in one may result in serious injury to the public welfare in the other. There is not sufficient space within the limits of one article to explain all these important differences, but it is enough for the present to state that the period of rebates, discriminations, and like indications of the misuse of our railways has been long since passed in the development of the hard-coal industry. These injustices did exist at one time, as the records of our courts show; but to-day there are so few independent operators that the occasions for their practice no longer present themselves. But this is not saying that there are no serious evils affecting the public through the existence and operation of the anthracite monopoly.

The most conspicuous of these present-day evils is not the ownership of the coal-mining companies by the railways, but the misuse of this machinery of production and distribution to force upon the toiler a comparatively low wage and upon the consumer an exorbitantly high price, in order that dividend returns may go to beneficiaries of unjust capitalistic methods. If all the watered stock which reorganizations and purchases and the like have injected into the anthracite industry through extortionate bankers' commissions, exorbitant fees of attorneys, stock allotments to insiders, etc., could be squeezed out, and the industry thus placed upon an honest and a just basis of compensation, not only could the wages of hundreds of thousands of mine workers be increased, but the price of coal to millions of householders could be reduced considerably. In other words, the problem is to bring about a restitution to the people in higher wages and lower prices of the questionable claims upon the industry of certain individuals, and to place this great business upon the basis of a fair, and only a fair, dividend to the capital invested, a fair wage to the mine-worker, and a fair price to the consumer. Instead of this, we have to-day a low wage to the worker and a high price to the consumer, by means of which policy an enormous sum is directed each year into the pockets of unjust capitalistic claimants in possession of stock for which no return value has ever been given.

With regard to those anthracite-hauling railway companies about which there is no question that they do come under the ownership-prohibition clause of the Hepburn Act, a very complicated situation presents itself. In hardly any two cases do the same factors enter into the relation of the roads to their coal company. As yet no announcement as to the method of solution has been made by any of the companies. In some cases compliance with the law will present no very great difficulties, as, for instance, where the holding company still retains as free assets the stock of the coal company, which latter could be distributed to the railway's stockholders as special dividends. In cases where the coal lands are owned direct and are free from

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encumbrances, they could be easily taken over by holding companies, whose stock could be distributed as dividends to the railway's shareholders. These instances do not exhaust the different phases of the situation as presented by the differences in the relation of the railways to their coal companies, and are given here merely as illustrating the fact that in some instances the enforcement of the law will not bring about any radical change. In others, however, very embarrassing and complicated conditions are to be overcome. This is the case, for instance, where the railway's coal property is pledged, entire or in part, as security for bonds outstanding, and where the proposed change might affect, as is likely, the value of these holdings.

Even if it were possible, practically as well as legally, to divorce in a simple manner the ownership of railways and coal-mining companies in the anthracite industry, such legislation has come too late; for those most deeply injured by such a relation have long since paid the unjust penalty—they have been forced out of the business as independent operators. This statement of the situation is not applicable as yet, however, to the soft-coal industry, and in that direction the ownership-prohibition clause of the Hepburn Act may bring beneficial results.

INVESTING MONEY

BY GEORGE CAREY

FIFTH PAPER

NATIONAL, STATE, AND MUNICIPAL BONDS

AMONG the first forms of investment securities that might be issued in fractional amounts were the promises to pay of national governments. In very early times these promises, or obligations, frequently consisted simply of the notes of hand of reigning monarchs, and were pledged upon no definite security for payment of principal or interest. Often loans were extorted by force, or by threat of torture, from unwilling money-lenders, usually rich Jews. The history of the Middle Ages is filled with instances of this sort. During the period of the Crusades, especially, enormous sums had to be raised, by fair means or foul, to defray the expenses of vast, semi-organized armies. State revenues, crown lands, court jewels, kingly honor, were pledged to secure the debts. Sometimes these were paid, more often they were forgotten, until the promise of kings, and so of nations, became the synonym of untrustworthiness.

But with advancing civilization, accompanied by ever increasing and varied governmental needs, came the necessity for national credit, which must be based upon inviolability of contract. Governments began to be conducted on business principles, the fundamentals of which rest upon the ability to borrow, and to borrow at the lowest possible cost. Gradually the pledges of powerful nations progressed in the scale of credits. Now the promises to pay of great countries such as the United States, England, France, and Germany are reckoned upon a par with the very gold on which are founded the credit standards of the modern world.

The discussion of national government bonds must of necessity be limited, in this paper, to the issues of our own country. It is true that those of other governments have been offered for subscription to the investing public by certain of our great investment banking houses, and latterly with a very considerable success. The bonds of the Japanese Government, issued since the late war with Russia to replenish the national coffers, furnish a notable illustration of this variety of investment security. Other foreign bonds, too, among which may be especially mentioned those of England, Germany, Russia, and Mexico, are frequently bought and

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sold in our great financial centers. The desire for this sort of security is a very natural one when considered from the view-point of our enormous alien population.

The history of our own National bond issues affords an interesting and intricate study, which recent events in the world of finance have made peculiarly pertinent. This is because our National banking system is rooted in National credit. Some years ago an interesting booklet on United States Government bonds was prepared and issued by a great New York National bank. The following paragraphs on "Circulation" explain briefly the very intimate relations of Government bonds to National banks: "A National bank, immediately upon its organization, must provide itself with a certain amount of United States bonds. This amount varies with the amount of the capital of the bank. Banks with a capital of $150,000 or less must deposit with the Treasurer of the United States bonds equal to one-fourth of their capital. In the case of banks having a capital greater than $150,000, a minimum deposit of $50,000 of bonds is required. A bank is not permitted at any time during its corporate existence to reduce its deposits below the minimum of original or charter bonds above stated. Against the deposit of bonds a bank may take out circulation; it is not under obligation to do so, but, whether or not the bank avails itself of the privilege, the law requires that a deposit of bonds be made. . . . A bank may take out circulation to the par value of the bonds deposited for that purpose, and may deposit bonds to secure circulation to the full extent of its capital."

From the above quotation it may be readily seen where a very large proportion of the Government bond issues is placed. It is a case of demand and supply. There are a good many thousand National banks in operation from Maine to California, from Florida to Washington, and, considering the incalculable wealth-producing capacity of the Nation, the amount of National Government bonds outstanding is relatively small. For bonds, as we know, represent debt. In other words, the National Government, when conducted upon proper principles, is a great business corporation which must at certain times borrow money from the people in order to finance its needs. Nations, like corporations, must exist, to a greater or less extent, in a continuous state of indebtedness. Sudden exigencies arise, to meet which huge sums must be raised. In our own country the late war with Spain was one illustration of this fact, and the building of the Panama Canal another. In each case Congress was obliged to authorize the issuance of bonds, which were offered for public subscription.

United States Government bonds are in such demand that they command prices at which the income, when regarded from the point of view of the moderate investor, is needlessly small. The net return, even for long-term bonds, is considerably below two per cent. (When estimating income return upon a bond investment, by the way, regard should always be had to whether the bond is purchased at a premium, or below par. Also, assuming that the bond is to be held by the investor until maturity, the length of the period within which that maturity occurs is of importance. For instance, a five per cent bond which matures January 1, 1909, and which has been purchased January 2, 1908, at 99, will net the investor six per cent if held for one year until maturity, and for this reason: during that year he receives two coupons of two and one-half per cent each, besides being paid one hundred per cent upon his principal when the bond matures. On the other hand, suppose he had bought the same bond upon the same day at a price of 101. His income in this case would be four per cent, because the premium of one per cent lessens the net yield from interest by that much. From this it may be noted that the longer the term of the bond sold at a given premium the greater is the net income from the investment. For a bond selling at a discount the reverse is true.) There is always this consideration, however, in favor of Government bonds: they are tax exempt. In nearly every city or country the holder of bonds other than those of that particular city

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or country, or possibly of certain bonds specially exempted by statute, is liable for taxation under local laws governing personal property.

Our National Government bonds are not secured by the pledge of definite physical property, like those of business corporations, nor even upon the revenue derived from any specified source, as is the case with the obligations of some other countries. The general pledge of our governmental credit is sufficient. Interest and principal are to be paid out of funds that accrue from our forms of indirect taxation, *i.e.*, tariff upon imports, and internal revenues levied upon the manufacture of certain luxuries, such as liquors and tobacco.

The safety of our National bonds as an investment need not be dwelt upon. As to whether they are suitable, from the point of view of income, for the investor of very moderate means, is a question to be decided by the individual. Large blocks of these securities are held by certain wealthy individuals and great trust estates throughout the land. They may be purchased in certificates representing a par value of $20 or $50, and multiples thereof. They may be obtained in both coupon and registered form, and all issues are quoted daily upon the New York Stock Exchange. Certain brokers in all the great cities make a specialty of trading in Government bonds.

States, cities, villages, and counties are independent governmental units so far, at least, as the conduct of local affairs goes. Like nations and ordinary business corporations, their running expenses must be defrayed by funds borrowed from the people of their own and other communities. Debts incurred by States resemble, in miniature, National obligations. Some States have no debts at all, or else their obligations are so small as to be negligible quantities when measured in terms of the State's wealth and credit. Other States owe considerable amounts for specific expenses. Massachusetts, for instance, owes large sums for the erection of public buildings, and for various public improvements. New York is indebted to the investing public for funds wherewith to defray the maintenance of certain public parks, armories, highways, prisons, hospitals, public buildings, and especially for the recent issue of bonds to rebuild and widen the Erie Canal. The obligations of States which enjoy such credit as do New York, Massachusetts, and many others, command very high prices and consequently produce relatively small income.

City, village, and county bonds, generally referred to in the parlance of investment bankers as "municipal bonds," have long been a favorite form of security among a very large class of investors. The financial integrity of municipalities is safeguarded in nearly all States by rigid statutes. The amount of debt which they may incur is a fixed quantity, the limit varying, of course, with different States. But within States whose lawmakers are conservative in matters of finance, the investor in municipal obligations is assured of a wide margin of safety. The security of such obligations is based upon the taxable property contained within the limits of the city or village issuing them. They constitute, in effect, a first lien, or mortgage, upon such taxable property. Each year the value of the real estate is estimated by competent assessors, and upon this valuation the debt limit of each political unit is fixed. In conservative States this amount must never exceed ten per cent of the assessed valuation, and in some States the limit is much below this maximum. In prosperous communities, of course, the value of taxable property advances, and with it the debt limit. The debt of New York City, for instance, is enormous—in fact, not very far below that of the National Government. But each year the increase in the assessed valuation of New York property goes soaring into the millions.

Bonds of great cities like New York, Boston, and Philadelphia have a ready market and are tax exempt within the city limits. Certain of the bonds of New York City are listed on the New York Stock Exchange, and are actively traded in from day to day. These and other municipal bonds are issued in both coupon and registered form—in smaller places the preference being for

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the latter—and in denominations of $100, $500, and $1,000, such denomination varying with the discretion of the city authorities.

Municipal bonds may not be issued without the consent of the taxpaying voters. The purpose for which they may be sold must be specifically stated and publicly advertised. Also attorneys skilled in the laws regulating such matters are employed to pass judgment upon the legality of such issues. The bonds are offered for public subscription. Often individual investors and banking institutions send in subscriptions. But, as a rule, the greater part, and very often the entire issue, is purchased by some investment banking house and thereafter resold to individual investors.

The safety of bonds of prosperous political units is unquestionable. It has been asserted that the obligations of strong and solvent cities and villages are even more invulnerable than those of States. The latter cannot be compelled by the courts to pay in case of default, whereas the former may be so ordered. There is this to be said, however: municipal bonds, except perhaps those of a few great cities, have a narrow market. Often when the investor wishes to sell it is somewhat difficult to find a purchaser quickly. Hence bonds of this character form poor collateral for loans. On the other hand, because of the relatively unvarying stability of municipal credit—municipalities which average up to a fair standard of financial soundness only being considered—the fluctuations of their bonds in market value are, as a rule, less than those of other corporations. So high, indeed, has the credit of municipal corporations been held that even small villages in certain States could in times past sell their bonds at a price upon which the net return to the investor was often below four per cent per annum. With the gradual depreciation in all values and credits that culminated in the financial panic of last autumn, the price of all issues of excellent municipal securities has declined. To-day the investor is offered very attractive opportunities.

Of course, before purchasing, one should carefully examine into the credit and financial record of the city or village whose bonds he purposes investing in. He should also establish to his own satisfaction, perhaps with the aid of his attorney, the legality of the issue. There have been many instances of bond issues put out without due legal form, and often tedious and interminable litigation has followed. Repudiation of indebtedness, too, is conceivable, although perhaps only when some political unit ceases to exist.

An old and experienced dealer in municipal bonds once told this story, which he declared to be true: Many years ago, he said, in a State in the Middle Northwest, there was a certain very thinly settled county, the farms of which had long been preyed upon by vast armies of jack-rabbits. It seemed impossible to exterminate or even measurably to lessen these pests. So the county authorities decided to offer bounties for jack-rabbit scalps. To pay these bounties an issue of bonds was sold. Immediately countless scalps began to be offered for purchase by the county treasury; notwithstanding which the depredations of the rabbits continued undiminished. It was discovered that ingenious persons from adjoining counties were also offering scalps through unpatriotic friends. Soon the treasury was bankrupt. To pay bond interest a special tax levy became necessary. This the people refused to endure. When litigation by outside innocent bondholders was threatened, the entire community packed up bag and baggage and moved away, leaving the wretched bondholders to whistle for their money.

Municipal bonds are nearly always issued for some sort of permanent public improvement. For instance, the funds procured by their sale are used for new schools, water-works, parks, sewers, paving, and public buildings. Improvements of this kind necessarily tend to enhance the value of surrounding private property and so to strengthen the municipal credit. Of late years many new State statutes have been passed to safeguard additionally both taxpayers and investors. Special taxes are often set aside for the payment of interest and to provide a liberal sinking fund for the purchase and

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retirement of bonds before maturity. In most States savings banks and trust estates are permitted to invest in municipal securities within their own boundaries. The obligations of certain cities in other States are also legal investments. On the whole, the record of municipal bonds is a good one. For a permanent investment to be held until maturity they are admirable. For investors desiring flexibility and a quick market they are less attractive.

SPEARS AND PRUNING-HOOKS

BY L. LAMPREY

THE windy October twilight was deepening into chill dark, and the sullen western sky seemed a red flare from the flame-crested maples on the hills. MacCarthy, the young proprietor of the great factory which was the throbbing heart of the town, was standing by his library window looking out into the night, when there was a sharp ring at the bell. Things had not gone well at the factory that day. His ideals seemed crumbling before the merciless onslaught of facts. He was glad of any interruption which might take him out of himself.

A little, sharp-faced woman in badly fitting clothes came a step into the room, and paused.

"I d'n' know as you know me, Mr. MacCarthy. I'm Mis' Atkins—Dunk Esty's cousin's wife. The old man, he's 'most gone, and he wouldn't give us no peace till we sent for ye. He said you was the only one he wanted to see. He wouldn't have no minister, nor nothin'."

"Why, I'll come, of course. I hadn't even heard he was ill. How long has he been laid up?"

"Only a week. He got cold. He's been out of his head half the time, tellin' about them battles he was in, and hollerin'. The doctor says he won't live through the night."

At the gate she turned in the opposite direction. "I've got to go up the street here a ways, to get a washin'. But you know the way."

A walk of half a mile brought him to the shabby cottage near the tannery, where the old soldier had found a home vouchsafed him because of his pension and grudged him because of his habits. Memories thronged into Rick MacCarthy's mind of Saturday afternoons spent sitting in the sunshine on the bare hill behind the house, as the veteran sunned himself, and the battles of the great war moved in stately panorama through the vivid fancy of the boy. Antietam, Chickamauga, Gettysburg, Bull Run, Lookout Mountain—he had heard the cannonading, and smelt the blood, and awaited in sickening dread the order to move as the unfettered illiterate speech went rambling on. It was here that he had learned that United States history was more than meaningless dates and names—it was alive.

A querulous woman's voice sounded shrill as he entered—"Bub, get back; you ain't fit to be seen. Lurella, you show him in there. I can't."

The slatternly girl was too obviously impressed with the visitor's social status, but he hardly saw her as he passed into the inner room, where the dying man lay, his rugged face as white as his hair, the lines of dissipation and shame and folly grown faint, as he held out both hands and smiled a welcome.

"I knew ye'd come, I knew ye'd come! You never went back on the old man yet, did you?"

"Of course I came. Isn't there anything I can do? I'm awful sorry, honestly I am." He spoke as the school boy might have spoken.

"No, only set here awhile. I'm glad to git through. But I wanted to see you once more before I went underground."

He lay quiet for a few minutes, his eyes dwelling fondly on the young man's mobile, sympathetic face and dark eyes.

"My, your father must be proud o' you! I used to wish I had a son o' my

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own, but I don't now. I ain't got nobody belongin' to me to be glad I'm gone.

"Did you ever think, boy, that a war ain't really over till they're all dead that was on both sides? The lists o' the killed and wounded used to look pretty large in the papers, I s'pose—I never seen more'n one or two papers all through my four years, but they tell me how they used to wait for news o' the big battles, and how solemn 'twas Sundays—most o' the big battles was on Sunday. But all the killed wasn't down on them lists.

"You and me was pretty intimate along one while, when you was a little shaver, but there was some things I never told ye, 'cause you wouldn't 'a' known what I meant. But folks are kinder forgettin' now what war means, and I hear 'em talkin' sometimes 's if it would be rather nice to have another big war. It's all right to die for your country if you're killed dead in battle. But when you hev to spend thirty or forty years dyin', it ain't so much fun.

"Set down there in the old rockin'-chair that they brought in for the doctor, where I c'n look at you. You ain't in any hurry, be ye?"

"No. I'll stay as long as you want me."

"I ain't complainin', understand. I didn't deserve no better'n I've got, and it can't be helped now. I jes' wanted you to see how 'twas, now you're older and can appreciate it. You know I've been the town drunkard ever since 'fore you was born, and ain't had nothin' 'cept my pension, and sometimes I drunk that up the day I got it. But when I was your age, or a little younger, I didn't expect to be a drinkin' man no more 'n I expected to die in the poorhouse, or next thing to it.

"That war was a big thing, boy. I ain't never been sorry I went into it. I remember now how I felt when the news come that they'd fired on the old flag. I tell ye it went all through me. I never rightly knew I had a country till then. And when we was all down in Washington we got acquainted with some Johnny Rebs from over in Virginia, and they said they felt the same way when they heard the Yankees was invadin' their State. I guess it had to be.

"It was kind of excitin', too, marchin' off in uniform, with the band playin' and the folks cheerin' and pretty girls beggin' for kisses. There was one girl in special that I'd never been able to git anywhere near before, and she come up and kissed me with tears in her eyes. I reckon you know how that would feel to a boy of twenty-one. Half of us was boys—on both sides—nineteen, and twenty, and on up to twenty-five.

"Then we laid in the mud one whole winter outside Washington, waitin' till McClellan made up his mind how he wanted to play the game. That's where the Southerners had an awful pull over us. They didn't have to git used to their climate. But to be just off the prairie or out of a mountain country like this, as most of us was, and have to camp out where the water give you dysentery, and the climate give you malaria, and the rain and damp put all kinds of aches in your bones—I tell you it wa'n't pleasant.

"They didn't have no hospital service worth mentionin'. Half the surgeons was drunk and the other half was fools, along at first. And it didn't help your nerve, after a big battle, to see a pile of legs and arms as high as your head 'long side of a barn door, and hear the hollerin' inside. It was them things that learned most of us to drink. That and the rotten grub. They said in my old rig'ment that some fellers threw a ham over a clift one day 'cause it had so many live things in it, and got so starved next day they went back after it and found it had crawled off. When you know you've got to stand up long enough to git somewheres, and if you don't you'll be captured and sent down to rot in a prison stockade, and you've found whisky'll help you stand up, you gen'lly take the whisky.

"And then we begun to git used to it, and got kinder reckless and devil-may-care, and pestered the green recruits when they got sick and give out. It was like gittin' your second wind on a march. For awhile it seemed 's if we couldn't stand it a day longer, and then we was bound we'd stick it out. I come home, finally, in a cattle-car, so full o' dysentery they wanted to put me off at every

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station, and I coaxed and threatened and bullied 'em into lettin' me come home to die. They told me a dozen times I'd die first, but I didn't.

"It seemed kinder good to git home at first. It was nice to sleep in a clean bed, and set down to a good meal o' victuals at a nice clean table. And when they had the big review at Washington, and the Army o' the Potomac was mustered out—I'll never forget that. My old rig'ment was all together, what there was left of it. There wa'n't much hurrah-boys about us then. But we felt 's if we'd done a good hefty job—one that was big enough to last us the rest of our lives.

"But it wa'n't. I begun to find that out awhile after I got home. That girl I mentioned to ye—she was married. I was in a store when I left, and the store'd changed hands, and my job was gone. For awhile there wa'n't nothin' too good for an old soldier. Everything was fine. We was welcome anywhere. It was kinder demoralizin' to a man that had got as tired as we had, them four years trampin' over mountains and through swamps, and livin' on hardtack and bacon.

"I've sometimes thought the old Confed'rates had the best on't. They got home and found they had to hustle right out and make a livin', and it took up their minds. And the winter ain't so long down there, and it don't cost so much to live, and then they was all in the same boat. We come home, some of us, to find everybody prosperous and well fixed but us. You get out o' the habit o' lookin' ahead when you don't know whether you're goin' to be alive or dead in a week, and you don't care to scuffle so hard for money. And then I was a drinkin' man anyhow.

"I worked a while in my brother's store. He didn't go to the war—he sent a substitute, and the substitute's over in the Soldiers' Home in about the same shape I be. I found rheumatism was botherin' me a good deal, and it was natural to take a little whisky now and then for that, and I got to overdoin' the matter. And then, I tell you, boy, when you've tramped all over creation, and seen men die in cartloads, and seen Mr. Lincoln's face the way it looked that day we come past him in the mud, it don't seem hardly worth while to put your mind to workin' off last year's calicoes for butter that's just a leetle too strong to be tasty.

"Some on 'em got along all right. They had more grit than I had, or they had somethin' to work for. I kep' toler'ble straight so long as ma'am was alive. But when she died I went off on one big bat that lasted a week, and my brother he wouldn't have nothin' to do with me after that.

"I guess if you was to count up the drunkards, and the paupers, and the good-for-nothin's, that come o' that war, you'd be surprised to see how many of 'em there was. It ain't astonishin' that after a while folks got to sneerin' at the old army men, and hintin' that they was pretty long-winded and fond of tellin' their yarns. I'll admit I was. It was about the only decent thing in my life, that war record. And there was a good many men that never smelt powder, that talked the loudest of anybody about it, and that was more or less sickenin', too.

"There's somethin' about a big experience like that that makes it almighty hard to pay attention to little things. Some of us had learned to talk pretty careless, too. I never used a cuss-word 'fore I enlisted, but when I come back I could drive a team o' mules a half a day and not repeat myself often at that. When you feel a bullet borin' into your insides somewheres, or get the word to march jest as the coffee begins to boil, you can't let out your feelin's in any words they teach in Sunday-school.

"I remember, early in the war, we was goin' along a Virginia road with the mud about ankle deep, and hadn't had nothin' but hardtack for four days, and we saw some nice yellow fruit on the trees over the fence. It wa'n't three shakes 'fore that whole regiment was over the fence and up in the trees; and then such a lot of tied-up mouths you never did see. We bit right into green persimmons. There was some cussin' then that would have surprised the home folks.

"It made a difference, too, seein' the way things was slatted 'round when a town was taken, and how easy 'twas to

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lose the prop'ty folks work all their lives for. I recollect when the army come through Atlanta. The whole town was out in the streets that night, bonfires blazin', and everything in a hullabaloo. There was a great big handsome piano dragged out of a house, and some feller come out o' the crowd and set down and begun to play, and sech music you never heard in all your life. He had everybody holdin' their breath and listenin' in a minute. And he played and he played, and the bummers that was full o' whisky, and the folks that was chasin' round tryin' to save what they could, and the niggers that thought we was Kingdom Come for sure, and the soldiers in half a dozen rigiments, was all crowdin' up, and he played there in the middle o' the night for pretty near an hour, I guess, and then he went off; and some fellers jumped on top' o' the piano and made it into kindlin'-wood in about a minute. You don't fergit them kind o' things in a hurry.

"The long and short of it was, folks begun to think some of us was a bad lot, and even the ones that had perked up and done well kept stiller and stiller about their war records. And our pensions kinder shrunk as the prices o' things went up, till they wouldn't hardly buy us victuals and clothes. I said when I first come back that I wouldn't ask for a pension, and lots of others they said the same, but I notice a good many that's had to come to it, sooner or later.

"I got so I didn't want to talk about the war, for a while, and then you come along. The other boys they jes' laughed and snickered if I tried to tell 'em anything, but you didn't. I used to look for'ard the whole week to them Saturdays when you'd come up here and set in the pasture and ask me about the battles, and your eyes would shine, and it was all so real to you—I used to think, sometimes, it would be worth keepin' straight if I had a little feller of my own that would be so interested. But it was too late then.

"And then you give me your money to go to the encampment at Washington—I vow I don't believe there's another boy in this world would 'a' thought of it. I didn't know till I found out from your father, 'most a year after that, that it was the money you'd been savin' up to buy a bicycle. I could 'a' cried when he told me. I thought mebbe you'd asked him for it, but I wanted to go too bad to be inquisitive about it then. That big G. A. R. encampment wa'n't like anything else there ever was in this country, or ever will be again. There was thousands o' men that hadn't seen each other since the war. I run against comrades that I hadn't seen in thirty years—men from Illinois, and Kansas, and 'way out in California—and we was all good fellows together, and nobody asked any mortifyin' questions. And that great big beautiful city, with the public buildin's, and the streets jest packed with people when we went down the avenue, cheerin' and cheerin' as if their throats would bust—and President Hayes himself a-marchin' along with his old Ohio regiment—and the camp-fires in the evenin'—I guess it was worth livin' all that time for. I'm glad I didn't die 'fore I took that march. I'd 'a' been willin' to die any time since.

"I'm goin' to croak pretty soon now, and I ain't afraid. I guess if the Lord is anything like Mr. Lincoln, he'll think I've had my hell in this life. I don't want to carry this old carcass around any longer. And one o' these days folks will come through the graveyard, and see the old man's grave with the little flag on top, and not remember anything about him, 'cept that he fit like hell for his country when she called out the troops. I've thought sometimes that the fellers that was killed in battle give their lives for the Union, and some o' the rest of us give our souls. I used to think I had a soul when I was a young chap, but late years I ain't been so sure."

The old fellow smiled reminiscently.

"I told Deacon Hyman once, when he said I'd sold my birthright for a mess o' pottage, that I'd jest as soon die o' drink as live by cheatin' poor folks. I ain't afraid. But I tell you what I wish you'd do. You was brought up to say your prayers, wa'n't you, when you was a little boy? Would you mind jes' sayin' 'Our Father' for me, 'fore you go home, and let me say 'Amen'?"

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THE PROBLEM OF DOMESTIC SERVICE

I.—FROM THE STANDPOINT OF THE EMPLOYER[1]

BY ELIZABETH McCRACKEN

MOST of my immediate associates chance, like the ladies of Cranford, to be pretty well suited with servants. "Don't spend any time considering us," they said, when I would have begun an investigation of the problem of domestic service from the standpoint of the employer by doing this very thing; "talk with the people who can't get good servants, or, if they do, can't keep them. They are the typical employers."

Certainly, such persons are in the majority. Typical no doubt they are; but should they be regarded as representative? At the exhibitions given by art clubs we expect to see only the best pictures of the most gifted members; players, we all are agreed, should be remembered for their fine and brilliant successes. We insist that a poet must be judged by his greatest poem. Even in matters nearer home the same principle holds; a small girl of my acquaintance tells me with pride that her "room at school" was represented at the Longfellow Centenary.

"How was it represented?" I query.

"Every person in it wrote an essay," is the reply; "and the best one was sent to the Committee."

May we not profitably proceed somewhat after this manner in dealing with the employers of household helpers? The best ones, moreover, are the only ones who see in the problem of domestic service the possibility of a solution. Those persons who cannot get good servants, or, if they do, cannot keep them, almost invariably declare it to be their belief that good servants are not to be had, or, if actually obtained, retained.

There is perhaps no one of us whose opportunity to listen to the discourse of a typical employer has been in any wise meager. In Cranford, we recall, it was because most of the ladies *were* pretty well suited with servants that conversations sometimes flagged during the fifteen-minute calls which were made upon formal occasions. But why is it that, even among housekeepers who have many other subjects of conversation, the delinquencies of the outgoing cook, or the failings of the incoming maid who does what is designated as "second work," would seem to be a favorite topic? How does it happen that upon its introduction the most brisk conversation becomes still more sprightly? Furthermore, under its influence entire strangers will become familiar acquaintances; and cool silence resolves itself into warm discussion.

"Discussion!" exclaimed the manager of an employment bureau, when I made this remark to her; "very few of the women who talk about their trials in connection with servants *discuss* the question. They merely exchange experiences!"

"Isn't that much the same thing?" I suggested.

"Not at all," she returned; "for they do not interpret their experiences; they tell what happens, but they do not try to explain why."

She has been for more than ten years the manager of an employment bureau of considerable size. I had been spending the morning near her desk observing the course of events. Of the scores of householders—both men and women—who came seeking servants, at least one-half confided to her some tale touching the employee whose vacant place the office was requested to aid in filling. Very nearly all stories were derogatory in their nature. In no case was any attempt made to offer what the manager would have called an interpretation.

[1] A second article by Miss McCracken, "From the Standpoint of the Employee," will appear in The Outlook for February 29.—THE EDITORS.

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"Perhaps these people have no explanations to give for their trouble in relation to this matter," I ventured.

"Oh, probably not," was the answer.

"Do successful employers know why they succeed?" I questioned.

"I have no idea," replied the manager, with a smile; "they do not come to me until they have ceased to succeed, so I seldom hear them talk. I'd like to. What do they say, I wonder! I know—I suppose every one does, more or less—what the unsuccessful employers think; and most of us have some knowledge of what the theorists who have never had anything to do with servants believe; but the successful employers—what *do* they say?" She looked at me with sudden hope. "Do *you* know?" she asked.

It chanced that, to a limited extent, I did know; for, unmindful of the counsel proffered me, I had spent a certain amount of time considering those of my near acquaintances who are successful employers. I repeated to the manager of the employment bureau a portion of what they had said. She listened with an appearance of interest which I had not observed her to accord to the anecdotes of the succession of unsuccessful employers who had visited her office during that particular morning.

"Does this recital commend itself to you because it is different from what you have been hearing?" I inquired.

"No," she replied; "I like it because it is positive. What I have been hearing has been negative."

I had mentioned to her my intention of writing some account of the results of my various investigations of the problem of domestic service. "Show the positive end of the pole," she now urged; "the negative end is already in plain sight."

Not so much her insistence as the quality of my own experience induces me to make an endeavor to follow her advice. Of the almost countless number of employers whom I interviewed on the subject under consideration, only the successful ones, as the manager of the employment bureau had predicted, suggested any possibility of a solution of the difficult problem; and the hint, at least, of such a possibility was what I sought.

The most successful employer that I ever have known is a friend of mine who lives in one of those small cities of which there are so many in America. She is what one of her college classmates describes as a "usual woman;" that is to say, she is a wife, a mother, and a housekeeper. Her finances being only the moderate earnings of her husband, she can afford to employ but one servant.

During the first few years of her married life this servant was a woman who had been my friend's own nurse. She served her former charge's household faithfully, if somewhat dictatorially, until old age obliged her to retire from active work.

"Now," predicted the neighbors, "your troubles will begin! You will have nervous prostration, and you won't find a good servant."

But this prophecy was not fulfilled. My friend did not have nervous prostration. One day I went to call upon her for the purpose of making inquiries as to whether she had found a good servant. She invited me into the kitchen, where she was occupied in preparing dinner. I put my questions.

"What do you mean by a good servant?" she demanded

"Well—a competent one," I hazarded.

"Competent to do what?" she pursued.

"Why—whatever you engaged her to do," I replied.

"I engaged her to do general housework," said my friend; "a single servant is always engaged to do that. 'General housework' is a large and varied thing."

"But," I persisted, "have you found some one who can do it satisfactorily?"

"No," my friend unexpectedly made reply, "but I've found a good servant."

"Where is she?" I asked. "Is this her 'afternoon out'?"

"No," my friend again unexpectedly answered. "She is putting the children to bed."

"While you cook the dinner!" I exclaimed.

"Exactly," returned my friend. "She is very capable about caring for children, but her cooking isn't especially skillful. In fact, it's hopeless."

"It's fortunate that yours isn't," I

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finally recovered from my surprise sufficiently to say.

"Yes," my friend acquiesced, soberly, "it is fortunate. Otherwise I couldn't have taken this particular servant, and she was quite the best one I could find for general housework."

"General housework," I echoed; "you have just said she is practically the children's nurse!"

"She is more than that," my friend elucidated, "and she is less. She helps me with the children; a regular nurse would have the whole charge of them, and would do nothing else. This girl does many other things. Even in so small a house as mine there is much to do. We share the labor. I do what I can do best, and she does what she can do best. I help her, and she helps me."

"It is a unique arrangement," I commented.

"Is it?" observed my friend. "I'm not so sure. At any rate, it is an inevitable arrangement, conditions being as they are."

Managers of employment bureaus in various cities and towns in the United States have told me that in the great majority of homes only one servant is employed; and that usually the stories we all hear concerning the trials of housekeepers with their helpers come from the employers of servants for "general housework." If these housekeepers should make that arrangement which appeared to me unique, and which my friend regarded as inevitable, conditions being as they are, might there not, perhaps, be fewer of these tales to tell?

An acquaintance of mine to whom I recounted the incident of the servant who was capable in caring for children, but unable to cook, expressed it as her opinion that it was not so much what my friend did in the matter as the spirit in which she did it that made it possible for her to co-operate so happily with her one servant. "She realized that the girl was a human being, and she treated her as such," declared my acquaintance.

Upon reflection, it seemed to me that my friend's realization, and also her treatment, as regards her servant, went further. The girl was to her a human being whom she must take into her small house; who must become, perforce, a member of her household circle. It behooved her to deal with her as she dealt with the other members of that household; to rejoice in, and profit by, her virtues, and to accept cheerfully and to supplement her deficiencies.

Another friend of mine is a most successful employer. Her present servant, to use the current phrase, has "been with her" for six years.

"You have no trouble getting and keeping a good servant, do you?" I said to her, tentatively, not long ago.

"Certainly I do," she retorted.

"But," I interposed in surprise. "you always have one; and not one that you've had has left your employ because either you or she was disaffected."

"No," was the answer; "but that has been just for the reason that I have gone to much trouble in order both to get and to keep a good servant. There is no other way, any more than there is any other way to get and to keep a good friend."

"How do you go about doing it—securing a satisfactory servant, I mean," I questioned.

"In the usual way," was the reply. "I take the best I can find, and make the best of her. I try, so to speak, to pull together with her, and to teach her to pull together with me. It isn't always easy; but it is almost always possible. The reason more women haven't good servants is precisely because they don't have trouble in getting and keeping them; they don't because they won't."

During several visits in the home of this friend I had not failed to observe the consideration shown the servant by the various members of the family. That she might not unnecessarily walk the length of the house to answer the front door-bell more often than was absolutely essential, the children habitually went in and out the back door. Because she attended church on Friday evening, dinner was at an earlier hour on that day, that she might have to be neither hurried nor late. At all times attendance at meals was, on her account, most prompt. Everything was done or avoided that might lead to needless

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"extra work" or "inconvenience." I had wondered if this deference were reciprocal. During my last visit my hostess fell ill. A trained nurse came, and I remained. In spite of all our mutual efforts, there was much "extra work" to be done and much "inconvenience" to be suffered on the part of the maid.

"This is hard for you. I'm sorry," my friend said to her one day.

"Don't worry yerself," replied her helper. "I don't mind things bein' hard as must be hard. 'Tain't yerself as lets 'em be that way 'less they must."

Most of us number among our acquaintances at least one person who has in her home what is termed an "old family servant"—a devoted retainer who has spent the larger part of her life in the service of the household. I had known several such persons. In the process of my investigation I was pleasantly surprised to meet many more of them. "Where did you find your servant?" I asked in each case. "By what means have you kept her?" The reply was almost invariably identical in meaning with that of the first possessor of an old family servant to whom I put the question. "She tried to suit us, and we tried to suit her."

Only the other day a friend of mine told me that she had seen on a street-car the woman, now somewhat advanced in years, touching whom this statement had been made. "I felt sorry for her," my friend added. The son of the family, whom she had known all his life, had recently died, leaving a young wife and a child. The grief of the old servant had been great.

"Doesn't she begin to be reconciled?" I asked.

"For herself, yes," replied my friend; "but not for the wife and the baby. It wasn't only because she was sad that I felt sorry for her; it was partly because she looked so tired. She had just come from California; she had gone all the way from New York out there to take care of the baby and its mother. She was dressed in mourning; and her face was so worn, it was pitiful to see her."

"She is an exceptional servant," I reflected. "She has been in that one family for more than thirty years. They are an exceptional family."

"I don't think so," my friend disagreed. "The exceptional thing is the relationship between them. There has been much need for patience on all sides. What is unusual about the situation is the fact that every one concerned has tried to exercise that patience. They have borne and forborne."

A friend of mine who has had the same servant for general housework for twenty years said, when I interrogated her as to how she had achieved this: "I began the day she came to try to understand her and to help her to understand me. I determined to discover not only what she could do, but what sort of person she was; and I afforded her many opportunities to make the same discoveries in me. I let her know what I expected of her; and she let me know what she expected of me. My expectations were not always realized. I doubt if hers always were, either." She smiled. "There have been mutual concessions," she concluded.

On a later day she reopened the subject. "In other countries it may be different," she commenced, "but in America, for persons and by persons whose manner of life is simple, servants must be trained to be not only helpers but sympathetic and companionable helpers. In no other way is a strained relationship, and finally a severing of any relationship, to be avoided. Our democracy must enter into the solution of this problem as much as into that of any other of our common problems. Only when it does enter in, and enter in ardently in a particular instance, is there any effecting of a solution. Servants should be trained along republican lines."

"The difficulty," put in another listener, "is that ordinarily they have not been trained at all."

"Which fact," rejoined the first speaker, "makes the whole case the more fundamentally democratic; for the correlative difficulty is that neither are most housekeepers trained at all! The mistress and the servant begin with a mutual disadvantage. Usually this hinders them, whereas always it should, and more often than not it might be made to,

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assist them. It at least gives them a common basis. Both are ignorant; necessarily, both must learn. They can learn together. That is what my helper and I did; we were ignorant, and we learned together. The secret of our success has been that. We have been associated now for twenty years; I hope, and I have every reasan to think, that we shall be associated for twenty years longer. Moreover, I believe that in the years to come we shall learn as much as we have learned in the years that are past."

She had touched, in her discourse, upon one of the chief intricacies of the problem of domestic service; namely, the lack of training for her duties in both the mistress and the maid. This want renders it impossible to put the matter on a professional basis. There are no fixed requirements for admission to the ranks of either field of endeavor. Some women make housekeeping a fine art; and some women permit it to lapse into a kind of protracted picnicking. In the one case it becomes something more, and in the other something less, than a profession. What wonder that good servants are difficult to get, or, once obtained, impossible to keep! The servant who suits perfectly the precise and careful housewife will be deemed unsatisfactory indeed by a housekeeper whose conduct of her domestic affairs is marked by a certain nonchalance; and *vice versa*. Even when young women about to enter upon domestic service are desirous and able to give time and money for preliminary training, they may not be assured that the instruction they receive will invariably secure their employers against disappointment; for they cannot be taught just what any one of these employers is likely to expect. It may be too much; it may turn out to be too little.

Among my acquaintances I count more than one housekeeper who is what is colloquially described as "easy-going." One of these not long ago was defending her position to me.

"Punctilious housekeeping is a luxury," she declared, "that I can't afford. My husband likes to have his home open to his friends; he likes to feel free to bring them here for meals with an hour's warning, and often no warning at all. Our three children resemble him. They continually are asking permission to invite their playmates to spend the day, or to come for the afternoon to make candy. We have a sufficient income to do this, if I have only one servant, so I have but one. To keep open house with elegance, aided only by her, would consume all my time and strength. I need some of my time and strength for other things."

"How do you ever manage to induce a servant to stay with you?" I exclaimed, almost involuntarily.

"I find one who is the same kind of person as I am," was the surprising answer.

"Would you mind explaining?" I asked.

"Not at all," my acquaintance replied. "I can best do it, perhaps, by telling you about the two servants I had before I got the treasure I have now. The first one was what most persons would want. She was exact. But we are so very inexact! She was faithful and industrious; we were distinctly attracted toward her; and she liked us. But she decided to go, and we were relieved when she had gone. Our 'ways' didn't suit her, she said; we were too sudden. Well, neither did her 'ways' suit us; she was too premeditative. I do not say she was not a good servant. She was, but not for us. So she went."

"Then what happened?" I queried.

"We got some one else," my narrator answered, "from the intelligence office, through which we had engaged the other. Evidently she had said I was a "slack" housekeeper; for her successor was unpunctual and disorderly to an amazing degree. When I protested, she said, 'I thought you didn't care, ma'am.' Of course I discharged her. Then I did without a servant until I found the one I have now. She seemed to understand when I explained my household arrangements to her, and wanted to come to me and try. As I told you, she is the same kind of person that I am. She would prefer to have all the meals on time; she'd rather not have unexpected guests coming to them; she doesn't care to have the children about the kitchen. She

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really would like the house to be exquisitely kept; she sees that this cannot be done without undue mental and physical fatigue; she does all she can sensibly do; and she doesn't worry about the rest. Most persons wouldn't like her, but she suits me."

I spoke of this servant to a mutual acquaintance, who is one of those women by whom housekeeping is made a fine art. "I shouldn't want her," she rejoined. "I must have a good servant; I don't ask that she be like me, or that she understand my ideas of housekeeping. I only want her to do my work well."

"Have you a good servant?" I could not forbear questioning.

"Yes," was the sober answer, "I have; she knows exactly what I require of her, and she does it, and does it as if she enjoyed it. No one ever had a better servant."

When I repeated this to my "easy-going" friend, she burst into hearty laughter. "Do you know who her servant is?" she demanded; "that maid I had, the one I told you about, who didn't like my 'ways' because they were 'too sudden.' The mistress she has now isn't 'sudden;' she and that servant are of the same type."

"She said she didn't ask that her servant should be like herself, or should understand," I began.

"Oh, I know," my friend returned; "but she *is*, and she *does*. That's what constitutes a good servant—the likeness to her mistress!"

Another friend of mine, whose manner of living is of a somewhat elaborate nature, agreed completely with this definition. "It is absolutely correct," she affirmed.

"But how can *you* know it is?" I ventured to object. "You employ a housekeeper; you have nothing whatever to do with your servants."

"But," maintained my friend, "I have a great deal to do with my housekeeper! She manages my house just as I wish it to be managed, and she sometimes tells me that she would 'run' her own house, if she had one and could, exactly as she does mine. So, you see, she and I are persons of the same kind."

Of the considerable number of successful employers with whom I discussed the subject, there was not one whose experience did not point to a similar conclusion. Should this be surprising? What one housewife had termed our democracy enters increasingly into all our other human relationships. No longer in the best schools, and—may one be permitted to add—in the best homes, are children required to be the obedient subjects of their teachers and parents; on the contrary, they are encouraged to become persons of the same reasonable kind as their elders.

Every year sees a nearer approach to a true equality of the sexes; women are braver and more honorable and men are purer and more gentle than they were a century ago. The newer conception of friendship between two persons as signifying an association mutually loving and interchangeably helpful is supplanting the older ideal of active immolation on the one side and passive acceptance on the other. How, then, can we view, and, furthermore, try and hope to solve, the problem of domestic service otherwise than by the use of this same democracy? Indubitably those householders who are effecting a solution of it are working it out along no other lines than those designated by one of them as republican.

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CHINA AND AMERICA[1]

AS every one knows, China and America are becoming increasingly intimate, commercially, politically, socially, educationally, religiously.

But they are not becoming as intimate as conditions demand. A good judge of those conditions is Dr. Arthur Smith, the missionary and publicist. He has lived thirty-five years in China. He has studied not only the religious but also the social needs of the Chinese. Such success has been his that no books on China have better maintained their place as authoritative sources of information than have his "Chinese Characteristics" and "Village Life in China." To them he added a few years ago "China in Convulsion," an account of the Boxer Rebellion of 1900 and its consequences.

Now we have Dr. Smith's "China and America," written from the double perspective of the author's long Chinese residence and his occasional American visits. If in literary charm this book hardly measures up to the standard of the "Chinese Characteristics" or of the "Village Life," it amply reveals Dr. Smith's style—clear, concise, caustic, nervous, vivacious, brilliant.

Throughout the world Americans are acquiring individual and corporate commercial rights. Hence our National welfare is proportionately dependent on foreign markets. Of them those of the Pacific bid fair to form the center of the world's commerce and wealth as of its population and power. On the Pacific we have more frontage than has any other nation. We also have better harbors, both on the mainland and on the islands. Furthermore, the equatorial and air currents must always give to our ships the advantage in the Pacific trade. Finally, the building of the Panama Canal will apparently definitely assure American commercial supremacy in the Pacific. But, protests Dr. Smith, it is idle to suppose that we can be a part—and a principal part—of the world's organized commercial and industrial life and yet maintain a policy of isolation. Before commercial control really comes there must be, as Dr. Smith says, a revolutionary change in our shipping laws, and, what is far more important, also "a material abatement of our National self-conceit and superciliousness." Dr. Smith might have added, also, of our selfishness and superficiality. Speaking later of the last-named quality, he justly calls it our cardinal National sin.

All these qualities have been more or less shown in our treatment of China, socially and commercially. From the economic conditions prevailing at the time of the discovery of gold in California to those of the present, it is certainly a far cry. Then there was an absolute necessity for cheaper labor. Race prejudice rose more and more, so that Dr. Smith even declares that "there is no particular in which the worst Boxer atrocities in China were not equaled and exceeded by what has been perpetrated in many cities and settlements of Christian America. Great military expeditions and a heavy indemnity avenged the former. Almost all the latter were entirely unpunished." If the treatment of Chinese laborers in America was bad, that of Chinese merchants, students, and travelers was worse. These were often deliberately classed as laborers whom we were excluding, though the difference, avers Dr. Smith, is distinguishable at a glance. Nevertheless, the Jingo reader will say, we fear, that, telling as are Dr. Smith's statistics, convincing as are his arguments in this matter, there is still insufficient recognition by him of the unconscious and unintentioned race prejudice on our part, and that he has lived so long in China as to acquire a sympathy with the Chinese impossible to men not similarly placed. Be this as it may, it is high time that Americans began to comprehend conditions in China as he sees them, and to adapt their course more appreciatively with regard to them and the Chinese point of view. Dr. Smith justly declares that the root-trouble with China, and more

[1] China and America To-day. By Arthur H. Smith. The Fleming H. Revell Company, New York. $1.25, net.

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recently with Japan, has been our contemptuous opinion of their point of view and childish insistence on our own.

All the legal, extra-legal, and often lawless proceedings in America, adversely affecting the movements of population between China and this country, met in 1905 a criticism there which did not content itself with mere words, but expressed itself in deeds. A boycott of our products in China then began, which not only affected the sale of our oil, flour, and piece goods, but occasionally broke up our mission schools, and made traveling by foreigners unsafe in some parts of the Empire. It is true that some of this sentiment was "made up out of whole cloth." But, as Dr. Smith points out, this does not alter the facts that it produced effects which injured both sides; furthermore, "that it passed without doing far greater damage is no proof that this will happen next time."

Moreover, in the same year, China terminated the concession given to an American syndicate for the construction of the Hankau-Canton railway, a concession granted "upon the express stipulation that the right should not be transferred to any other nationality." A Belgian syndicate already controlled the Peking-Hankau railway. The Belgians were eager to get control of the southern half of a great north and south trunk line, and were actually allowed to purchase a majority of the American shares. When the Chinese discovered this, they threatened to cancel the concession, and when it was seen that it was apparently impossible for either the Americans or the Belgians to build the road, the Chinese decided to take over the road themselves, to have an impartial appraisement of the value, and pay for what they got. "But they charge the American syndicate with refusing to sell at less than a fifty per cent profit, so that, for what was at most worth two million dollars, they paid $3,750,000."

Dr. Smith mentions two other disadvantages which America has had to encounter in China—the baleful shadow thrown by our spoils system over the appointments of ministers and consuls, and our lack of a merchant marine. The reforms of the Roosevelt administration, as carried out by Secretaries Hay and Root, are turning a disadvantage into an advantage; as to the merchant marine, we shall bring about its upbuilding more surely by retrieving our antiquated navigation laws than by following Japan in wholesale subsidies to steamship lines.

What have we done for China politically? Here we have, latterly at least, displayed marked unselfishness rather than selfishness, thoroughness rather than superficiality, sincerity and not superciliousness. No other nation has ever done what America did for China in her great internal crisis of 1900. The genius of an American Secretary of State, John Hay, saved China from geographical, political, and commercial dismemberment. Hence, despite a labor boycott on one side of the Pacific and a commercial boycott on the other, the Chinese are, in The Outlook's opinion, really less suspicious of us than they are of others, because they will never forget that, eight years ago, alone of Foreign Secretaries, John Hay persisted in treating the Chinese Government as existing and worthy of respect, though it was in hiding and, in the opinion of the other governments, had forfeited its title to respect.

This appreciation on the part of the Chinese of our State Department's noble course towards them was emphasized in 1906 by the favorable action of Congress on its recommendation in establishing a long-needed United States Court for China, to supplement the consular extra-territorial jurisdiction under which Americans and Europeans have long been privileged to reside and trade in that country. The history of the Court established over a year ago at Shanghai has been such that law and order have been upheld in China, to the credit of both Chinese and Americans.

The feeling of confidence has also been emphasized by another State Department recommendation, this time concerning the Boxer indemnity. As a result of the Boxer rebellion in 1900, the Powers had to intervene to restore peace. So great had been the damage to their interests in China that they imposed upon China an enormous indemnity. In a recent message to Congress President

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Roosevelt holds that the part of our portion of the indemnity in excess of the sum actually needed to compensate for losses and expenses should be remitted. This, of course, created a keen sense of gratitude for our magnanimity among the Chinese, who naturally contrasted it with the rigor with which some of the other Ministers at Peking had been instructed to insist upon the execution of the concessions made to their citizens or subjects. But, in the opinion of most of the Powers, and in Dr. Smith's, the indemnity is not merely to replace fixed capital destroyed, it should be, the rather, considered as a punitive indemnity for the "siege of Peking," that criminal act of Chinese officials against the foreign governments in the person of their legations. Now, many observers intimately acquainted with conditions in China are convinced that if unexpended balances were handed back to China they might be used for other purposes rather than for the one most necessary, namely, for provision to make future similar outbreaks more difficult. As Dr. Smith points out, we are really under as much obligation to see that this money is so used as we are to return it at all.

Be this as it may, how can we best prevent future similar outbreaks? By substituting education for ignorance. Where can education best be had, in China or in America? In America. Hence, ought we not to propose to the Chinese Government that the sum will be remitted with the understanding that it is to be used for the education of Chinese students in America? Thirty-five years ago it looked as if we might turn the current of Chinese students to this country. But we gradually destroyed our chance by a drastic exclusion policy, a more drastic exclusion act, and, still more, by the unfriendly manner in which the act was administered. Partly as a result of these things, partly as a result of proximity, racial affinity, and the smaller cost of living, Japan took the place of educational mentor to the Chinese, so that now no less than fifteen thousand Chinese students are reported to be in Japan. Many of the students become demoralized. Under these circumstances, urges Dr. Smith, is it not the part of wisdom for us to deflect, if possible, this stream of students to our shores? Our former ill-treatment of those who had desired to come should be an additional reason for the adoption of this policy. China has sent a commission to America. Why should we not send one to China, asks our author, the chief function of which would be to visit every province and, with the consent of the Imperial and Provincial Governments, invite Chinese students who intend to go abroad to avail themselves of the facilities of our institutions, exactly as they would if ours were their own institutions? Certainly ours are better adapted for giving to the average Chinese student what he desires than are the schools and colleges of his own country.

This is the more appropriate, we think, because our educational efforts in China have been magnificent: the total of our schools and colleges of all sorts there now exceeds a thousand, says Dr. Smith, while of the fourteen institutions claiming a college grade twelve are American, and the only institution in China of college grade for Chinese women is American! This is one result of American missionary endeavor. So remarkable has been the work accomplished by the mission schools that an American missionary was asked to organize one of the new provincial universities, and the course of study submitted was made by Imperial decree the model to which all the provincial universities should conform.

As to American religious influence in China, in order to bring about the proper introduction of Christianity, our missionaries have been publishing books of *general* value and importance for the enlightenment of the Chinese, along with the translation of the Bible and the issuance of purely religious books, thus assuring the introduction of an all-around Christianity—the most powerful moral force which can be put into any country's history. As might be expected, our author declares that the nearly four thousand Protestant missionaries in China wield a moral force stronger than all other moral forces put together. Fifteen hundred of these missionaries are from the United States. Dr. Smith's purpose in

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his valuable volume is not to dwell upon the purely spiritual aspects of missionary work in making isolated converts, so much as on the result of that work shown in the introduction of a new moral and spiritual *climate*—a very different matter. Hence, Christianity, Protestant Christianity, American Christianity, is the most effective instrument in bringing together China and America.

Comment on Current Books

A Forgotten American Statesman

When Washington, shortly before his retirement from the Presidency, was casting about for a new Secretary of War, Alexander Hamilton, in a half-hearted way, suggested to him the name of Dr. James McHenry, a Maryland man who had been a member of Washington's military family during the Revolution, had assisted in the framing of the Constitution, and had been active in the political life of his State. "McHenry," Hamilton wrote, "would give no strength to the administration, but would not disgrace the office. His views are good." On McHenry, finally, Washington's choice fell, and he continued to serve as Secretary of War through nearly the whole of Adams's term—though, as Hamilton had predicted, without distinction. In fact, the crisis with France found him conspicuously wanting, and in the end Adams, after a violent quarrel, practically forced his resignation. Thereafter the lines of McHenry's life were cast in private places. Still, failure though he was as a statesman, he is of considerable importance to the historian by reason of his intimate connection with many of the great men and great events of his times. His descendants, therefore, have been well advised in permitting the publication of a collection of letters[1] to and from him, covering all periods of his life. Many of the letters, to be sure, are purely personal, and but for the delightful glimpses of the man's private life might advantageously have been omitted; but there are many of real historical value. This is particularly the case with the correspondence covering the last twenty years of McHenry's life, that is to say, from 1796 to 1816. It shows how completely he was under the domination of Hamilton during his term of office as Secretary of War; it assists to a better understanding of the downfall of the Federalist party—to the splitting up of which McHenry himself contributed not a little; and it throws some fresh and most interesting side-lights on such famous historical figures as Washington, Hamilton, Adams, and Pickering. The letters, it should be said, are interwoven with a biography of McHenry written by Mr. Bernard C. Steiner, who evidently entertains a higher opinion of his hero's abilities than is shared by most historians.

[1] The Life and Correspondence of James McHenry. By Bernard C. Steiner. The Burrows Brothers Company, Cleveland. $6.

The South Americans

Socially, if North Americans are "rationally hospitable," says Dr. Albert Hale in his just-published and very informative volume,[1] South Americans are "spontaneously hospitable;" furthermore, they have "a kindliness in their social intercourse which we might well emulate." Mentally, Dr. Hale adds, the South Americans have a sprightliness of imagination which we lack; he might also have said that their mental powers sometimes run rhetorically riotous. Commercially, Dr. Hale indicates that a real sisterhood of American republics may be developed by the investment of our money in South America, and by adding our peculiar energy to the more exuberant Latin qualities. Certainly, if we do not do this, other nations will. Indeed, they are already doing so. England and Germany are to-day the controlling commercial influences in much of South America. Politically, the South Americans will naturally follow either in the direction of our North American democracy or in that of a Europeanized paternalism. Under these circumstances it will do no harm to re-emphasize our contention that the privilege of working out a democratic destiny must be considered inalienable from American soil—even if we have no idea that South America would follow the usurping imperialism which, three-quarters of a century ago, gave rise to the Monroe Doctrine. No matter if North America was settled because of the love of liberty and South America because of the lust for gold, we should not forget that South American history records some heroic efforts for liberty; Bolívar, Sucré, Sarmiento, and Constant are names not to be ignored. Finally, as to morals, Dr. Hale admits that we are more developed than are the Latin Americans, and he points to the results

[1] The South Americans. By Albert Hale, A.B., M.D. The Bobbs-Merrill Company, Indianapolis.

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of intellectual and moral ambitions as seen in our public educational system, the foundation stone of our democracy. Yet he might have added that the Latins are more or less closely following us, if we may judge by the education and democracy which have produced such living moral forces in statesmanship as a Barbosa and a Drago.

The Atmosphere of Places

Two books[1] have just been published, full of old-world atmosphere. One sums up the preferences and fancies of a somewhat arbitrary but always interesting man; the other comprises a more charming woman's moods and tenses. Whatever Mr. Symons and Miss Paget (Vernon Lee) write is worth reading, even if the first sometimes expresses himself in grandiose and the second once in a while in a too impressionistic style. One has, too, the occasional slight apprehension that Mr. Symons may possibly be about to verge on the decadent; one certainly has the proof that he emphasizes a too individual appreciation. For instance, while the reader will probably find no fault with the choice of Rome and Venice as cities which represent peculiar personality, he resents a blind exclusion of certain other cities from any possible similar category. Take Naples, for example. Mr. Symons not only sees nothing there to admire—apparently he refuses to see anything. Of course much of Naples is commonplace, and the city is full of undesirable elements in the animal world, from the standpoint of natural as well as from that of human history. But much of Naples is pure poetry. Who arrives from the Mediterranean in that wonderful Bay, guarded by glorious Capri and Ischia, who drives along the Chiaja to his hotel, who, on first going to the window of his room, hears "Addio Bella Napoli" and the thrumming of the eternal but rather restful guitar, and sees the gay attire and the gayer gesture of the musicians below—and escapes a charm unlike that of any other city? Some years ago a part of Mr. Symons's present volume was provisionally published as the Italian section of a book entitled "Cities." The present volume contains additions enough to warrant its separate publication. While we are sorry that certain cities were omitted, we are glad to have a volume in which we may read original and sprightly impressions of Rome, Venice, Naples, Florence, Ravenna, Pisa, Sienna, Verona, Bologna, Bergamo, and Brescia. Although Vernon Lee's book is not so comprehensive as to Italy, it is more comprehensive as to Europe. It comprises appreciations of Italy, France, and Switzerland. Miss Paget's miscellaneous wanderings seem to have had no special plot or itinerary. But that makes no difference. The charm of her writing lies in its lightness of touch, a quality particularly evident in her slight but sure comment upon now this, now that place, as a butterfly might go from flower to flower. This attitude, however, does not involve triviality on the part of the author. Less self-conscious than Mr. Symons's, certainly less patronizing and pompous, Miss Paget's is a book of even greater imagination, shown not only in what she says, but also in what she leaves unsaid. The Frenchman's famous three stars, suddenly breaking off a phrase, are supposed to suggest to the reader's imagination things far vivider than any reality. So in the aptest descriptions and delineations there are those between-the-lines and after-the-line effects of space and silence which also belong to the description itself. Mr. Symons's volume, also full of atmosphere, may very likely stimulate the sightseer more than will "The Sentimental Traveler." To one who has enjoyed sojourns abroad (whether long or short), however, persons become even more important than places in the description and characterization of the latter. One feels Miss Paget's power not only of informing us in exact, concise, pithy, illuminating phrase concerning the physical features of what she sees; one welcomes her every exercise of her appreciation of the human element, in especial that of her own friends, "the color of whose eyes and skin," as she says, "the gesture of whose hands, and the cadence of whose voices bring direct and unreasoned experience of a whole race's temper and gifts." This comes particularly to the fore in the description of La-Ferté-sous-Jouarre, the country home of the late Madame Blanc, the valued friend of Miss Paget and of many another.

[1] Cities of Italy. By Arthur Symons. E. P. Dutton & Co., New York. $2, net.
The Sentimental Traveler: Notes on Places. By Vernon Lee. The John Lane Company, New York. $1.25, net.

Legal Essays

The late Professor James B. Thayer's "Legal Essays"[1] is exactly what its title indicates—a collection of papers on a variety of subjects connected with legal theory and practice. Professor Thayer was one of the leading American authorities on the law of evidence, and the more important of the essays bear directly on this subject. Most of them, too, being intended for perusal by lawyers, are rather over-technical in language for the non-legal reader. But there are a few of a distinctly general interest, notably an essay on the origin and scope of the American

[1] Legal Essays. By James Bradley Thayer, LL.D. The Boston Book Company, Boston. $3.50, net.

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doctrine of constitutional law, a second on legal tender, a third on Sir Frederick Pollock's suggestion that the English House of Lords and Privy Council and the United States Supreme Court might reciprocally consult for the settlement of difficult questions of common concern, a fourth on the legal status of the Indian, and a fifth on "Our New Possessions." This last, though written before the ratification of the Treaty of Paris, was well worth incorporating in the present volume, if only for the proofs it advances of the constitutional right of the United States to possess colonies. There are also several book reviews, of which the most important is an extended examination of Professor Dicey's "Law of the English Constitution;" and, finally, the collection includes two essays of antiquarian as well as legal interest, one on the competency of witnesses in the courts of early Massachusetts, the other a discussion of certain trials for witchcraft. All of the essays, and particularly those dealing with constitutional topics, bear abundant testimony to the enthusiasm, insight, and thoroughness with which Professor Thayer attacked the many problems that came before him as a student and exponent of law. A word is owing, also, to the pains taken by Professor Thayer's son, Ezra R. Thayer, in editing and annotating the collection.

America as a World Power

With Professor John H. Latané's "America as a World Power"[1] the strictly narrative portion of the "American Nation" serial history of the United States comes to an end, and the story of the Republic is thus completely carried from its dim beginnings to the present day. Professor Latané's concern is with the events of the past ten years—such recent occurrences as the Spanish War, the acquisition of the Philippines and our other transmarine possessions, the settlement of the Alaskan boundary dispute, the intervention of the United States in the Boxer uprising, and the beginning of work on the Panama Canal under American auspices. On all these topics Professor Latané shows himself well informed. His account of the events leading up to the war with Spain, of the events of the war itself, and of the territorial readjustments which it made necessary, brings together in compact form a large amount of information which the student could otherwise obtain only from many scattered sources. His view of the war is what we conceive to be the correct one, and if the dramatic quality is lacking from his pages, the story they have to tell is at least told clearly and with directness. As the volume proceeds it becomes increasingly evident that Professor Latané regards with approval the expansion of the United States into an active "world power." The time for isolation, he insists, has now passed, and since "the United States has now command not only of its own fortunes, but of the fortunes of others," it "cannot shirk the responsibilities that such a position brings with it." There is a capital chapter on international arbitration, the progress of which is vigorously sketched. In fact, we find little to criticise in the volume, saving only Professor Latané's proneness to expressions of opinion concerning men on whom the judgment of history cannot properly be rendered for some time to come. This is particularly noticeable in his comment on policies of the present Administration.

Fessenden of Maine

A dramatic chapter in American history is recalled by the publication of General Fessenden's Life[1] of his father. The elder Fessenden was one of the seven Republican Senators who by their vote saved President Johnson from conviction on the impeachment charges. To-day it is pretty generally agreed that they were right and their associates wrong, but in the fury of the times they were held up to public execration, and suffered the fate of the "party bolter." All except Fessenden were retired to private life, whither Fessenden himself might have followed them had he not died just before the expiration of his term. General Fessenden prints a number of hitherto unpublished letters testifying to the tremendous pressure exercised on his father to induce him to vote with the party. But he would not be influenced. "Whatever may be the consequences to myself personally," he wrote, "I will not decide the question against my own judgment. Everybody seems to forget that Senators have taken an oath to try the man impartially. But whatever I may think and feel as a politician, I cannot and will not violate my oath. I would rather be confined to planting cabbages the remainder of my days." And, after the trial, he faced his critics strong in the belief that in voting as he did he had performed "the one act of my life for which I am most entitled to the respect and confidence of all men." He had, in fact, many other claims on the respect, confidence, and gratitude of his fellow-countrymen. From his entrance into politics in the late forties, he had shown himself forceful, sane, honest, and able; he

[1] The American Nation: Vol. XXV. America as a World Power, 1897-1907. By John Holladay Latané, Ph.D. Harper & Brothers, New York. $2, net.

[1] Life and Public Services of William Pitt Fessenden. By His Son, Francis Fessenden. In 2 vols. Houghton, Mifflin & Co., Boston. $5, net, per set.

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labored unceasingly to inform and direct public opinion aright on the slavery question, the great question of his era; and during the war, first as Chairman of the Senate Committee on Finance and afterwards as Secretary of the Treasury, he was unremitting in his efforts to raise funds for pressing the great conflict to a successful issue. All of this General Fessenden makes very clear in a work which, if in parts rather dry reading, is a distinct contribution to American political biography. As is only natural, it is written from a eulogistic rather than a critical point of view, and it exhibits at times a marked impatience with those who differed from Senator Fessenden on the thorny questions confronting the statesmen of the period. But, bearing these reservations in mind, it may be studied to great profit. Some of the numerous letters and autobiographical statements which it contains throw fresh and really helpful light on Civil War men and measures.

The Inheritance Tax

Nearly fifteen years ago Dr. Max West, of Columbia University, published a monograph reviewing the inheritance tax legislation of the different countries of the world. It showed in a compact but comprehensive way how lawmakers of all nations regarded the question of the right of the state to secure for the common benefit a share in the wealth of individuals. Since then there has been so much new legislation affecting the inheritance of fortunes that Dr. West has deemed it desirable to issue a thoroughly revised edition of his serviceable work.[1] As he points out, "High progressive rates in Great Britain, France, Italy, and Germany have increased the public's share of large fortunes to proportions formerly unheard of outside of Australia and Switzerland, the world's economic experiment stations. Even in the United States several States have adopted progressive scales which make large fortunes passing to distant relatives pay very respectable percentages, and in many cases even direct heirs are now required to pay something." So careful has he been to make his revision as complete as possible that it includes statements of and comments on legislation enacted as recently as last year. Naturally, the greatest interest attaches to Dr. West's analysis of American action, and from this it appears that inheritances are now taxed to a greater or less extent in thirty-six States, in Hawaii, and in Porto Rico; that twenty States tax both direct and collateral heirs; that in thirteen States the tax is to some degree progressive; and that the inheritance taxes paid annually in the different States aggregate about $10,000,000. Besides describing the legislation in effect to-day and exhibiting its results statistically, Dr. West makes a close examination of the theory underlying such legislation, as shown both by court decisions and by the views of economic authorities. We commend his monograph to all interested in the subject.

[1] The Inheritance Tax. By Max West, Ph.D. (Second Edition, Revised and Enlarged.) Studies in History, Economics, and Public Law, Vol. IV, No. 2.) The Columbia University Press (The Macmillan Company), New York. $2.

An English Biography of Lincoln

Mr. Binns has done a very creditable work in welding into a connected popular biography[1] existing material about Lincoln's life and career. The author makes little claim to originality, but he has studied the many sources with thoroughness and has given his narrative proportion, color, and vividness. He notes in his preface that his is the first serious attempt made by an English writer "to portray on any full-sized canvas the greatest of the popular statesmen of the last century, the most notable figure among the leaders of the English-speaking democracy." Wisely, we think, he has confined his chief effort to a picture of the man rather than a study of the political history of America during Lincoln's day, but the historical record is sufficiently indicated to interpret Lincoln's character and development.

As a German Sees Us

It is well to see ourselves as others see us. Particularly is this true when the critic happens to be a thoroughgoing, sharp-sighted German. Such a one is Dr. Schultze.[2] With characteristic Teutonic thoroughness, he gives a survey of early American history before proceeding to describe present politics and the present-day people of these United States. His volume is notable because of its discussion of racial problems in this country. His chapter on the negroes is valuable, but that on the yellow races seems to us more valuable. Indeed, Dr. Schultze has evidently had special opportunities for noting what has been and is passing in San Francisco. He handles the situation almost as one of our Westerners would—without gloves—and we should be grateful to him for his plain speaking. Certainly this first volume of his American Streifzüge Series should be read both by Americans and by Germans, for it affords a peculiarly interesting survey of actual conditions. The book deserves early translation.

[1] Abraham Lincoln. By Henry Bryan Binns. E. P. Dutton & Co., New York. $1.50, net.

[2] Kulturgeschichtliche Streifzüge. Von Dr. Ernst Schultze. 1 Band. Gutenberg Verlag, Hamburg.

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Letters to The Outlook

BURDEN-BEARERS OF PROGRESS

Mrs. Betts's article on the Burden-Bearers of Progress tells truly the important part that a good day nursery plays in helping wage-earning mothers to care for their children, and in teaching them how. If any readers would call up the East Side House Settlement at the foot of East Seventy-sixth Street, New York, and make an appointment to visit our day nursery, they would see one of the best and most useful. Certainly none has a more sunny and breezy site. Yet the Settlement is so inadequately supported that it closed the year in debt, and while its work is more effective than ever it is struggling for financial existence.

Do benevolent people realize what it means to put a true home in the midst of a populous tenement district in a great city—that home inhabited by intelligent, earnest, loving souls, who are straining every nerve to help their neighbors and to help them to help themselves? After seventeen years' experience, I can truly say that there is no one agency more effective. The settlements co-operate with churches, synagogues, schools, and charitable societies, and are an important factor in every neighborhood good work.

In urging those who economize not to begin with their charities The Outlook has given wise counsel. Times like these try men's souls. The selfish and inconsiderate cut down the expense that does not promote their own immediate comfort. Surely there will be souls enough who feel the spirit of Christ not to let his work fail for want of support.

EVERETT P. WHEELER.

New York City.

THE WHY AND THE THEREFORE OF A DOG

Do not some of the higher animals that come nearer man, occasionally at least show power to apply experience to new conditions, "to perceive the *why* and think the *therefore*"? In our family there was a Scotch terrier, whose beautiful eyes the late Fanny Kemble had noticed. This dog, on account of his great sagacity, had been called Socrates, or Soc for short. He very readily learned to sort out the three different newspapers that were daily delivered at the same time at the front door and carry the right one to the right member of the family.

My grandfather, the essayist and poet, lived from July to November at Manchester, Massachusetts, on the beautiful north shore of Massachusetts Bay. In those days two Newfoundland dogs spent the summers with us. Upon the approach of a carriage on the long avenue leading from the main road through the woods and across the lawn, the dogs were accustomed to run out, barking their welcome to a friend and their challenge to a stranger. The keener sense of hearing of the Scotch terrier usually made him the leader in this demonstration, and the big dogs followed. The back yard, in which the dogs were fed, was shut off from the avenue by a stone wall with an opening through it. One day, as I was watching them being fed, the cook in haste gave but a very small morsel to the little dog and all the bones and large pieces to the great ones. The terrier swallowed his bit in an instant, and then tried to get more from his large friends, but their ominous growls kept him away. He found that they failed to reply to his appeals of friendship. What was he to do? What plan could he devise? What experience had he had which might lead him to a successful course of action? Suddenly, before I had ever thought out such a scheme, he started running and barking through the opening in the stone wall, across the avenue and on to the lawn. The big dogs "left their meat, they left their bones; they took three paces o'er the stones." They saw the avenue and lawn, but no carriage and no little dog. He had hastily scurried around the other side of the house, and while the Newfoundlanders were still barking in a desultory manner, and before they saw that they had been taken in, Soc had reached the plate of bones and run off with one, which he took to a safe distance, and when the other dogs got back he was quietly gnawing at his stolen bone.

Now, one might say that perhaps our Socrates really thought he heard a carriage approaching, that perhaps he may have heard the rumble of wheels on the main road some third of a mile away. But no: if he had been misled, he would have kept up the same desultory barking with the other dogs and would have returned *by the way he went out, which was the shortest way*. On the contrary, his immediate circuit of the house, out of sight of the other dogs, showed a prearranged plan. Perhaps some one may say that he had done this once before, making a genuine mistake the first time, and thus had seen his opportunity to get back before the others, and this had taught him a lesson. Even if that were the case, he showed much more intelligence than Mr. Burroughs's dog, who would not even remove a stick or a

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poker from the rug in front of the fire in order to make himself comfortable. But even this supposition is hardly tenable, for if the big dogs had been deceived before and had lost some of their dinner thereby, they would not have left their food so readily when the young terrier started his barking on this occasion.

I will give two more instances of this adapting of means to an end. Some of the family, including my father, were walking along the beach, throwing a stick into the water for the dogs to swim out for and bring to land. The Scotch terrier, though not a water dog by nature, had the ambition to try for the stick, but the Newfoundlanders easily outran and outswam him, and he was beaten every time. But, not daunted, he took a secondary pleasure in showing his pluck and starting after the stick. As the party were approaching the east end of the beach they noticed the little dog running ahead and disappearing. They did not think much of it, supposing that he had started after a rat or squirrel or woodchuck. The next moment they saw him cross a bar to some rocks which made the outer side of a little bay, and run out on them, having made quite a circuit. Keeping on walking and throwing the stick as they walked, the last throw brought the stick very near the point where the terrier was standing. The big dogs started from the beach, but Soc, from the rocks, was far nearer. He plunged in with a yelp, seized the stick in his mouth, swam with it to the shore, much to the amazement of his big, shaggy companions, and then ran dripping up the beach to the soft sand, and, with great barking, dug an enormous hole in which he proceeded to bury his trophy.

Now what had gone through the dog's mind? He saw his failure to get ahead of the bigger dogs. He saw the party going to the eastward. He must have observed that if they kept on walking in that direction and continued to throw the stick out substantially at right angles to the shore it would in time be thrown out near the rocks forming the little bay. If these rocks had gone out at right angles to the shore, the problem would have been simpler; but they were the outer part of a concave bay, and to get to this point of vantage he had to make a circuit several times the distance of the point of rocks from the beach.

I did not see all this myself. I joined the party just as Soc came out of the water, and I saw him prepare the mausoleum for his stick with a vociferousness that exceeded that of the grave-digger in Hamlet. But my father told me the details of how the little dog had carefully thought it all out in his head, and all the others assented to the story as told. That my father was a careful and accurate observer is shown from his book, "Two Years Before the Mast," which his fellow-sailors and his officers have said was wonderfully accurate in the minutest detail.

The third instance I will give is Soc's calling my aunt to supper. All the family were seated at table in the Chestnut Street house in Boston but my Aunt Charlotte, who was late. My grandfather said, "Soc, go call your mistress." The dog looked up perplexed. Then Mr. Dana repeated the order, with a gesture of his hand toward the hall door. Then off started Socrates. We heard a distant whining and barking. I got permission to leave the table and ran upstairs to see what was going on, and there I saw my aunt emerging from her room, the dog running ahead, then stopping and looking back to see that she was following, and, keeping up a whining and barking, in this way escorted her to her seat, and when she had taken it he ran around and around the table in an ecstasy of delight.

How had he accomplished this task? How had he made her see what was wanted? He had never done this before, nor is there any reason to believe that his "progenitors had followed the same lines for countless generations," as Mr. Burroughs says, and "that habit had worn a groove." My aunt said he nosed his way through the door, took the edge of her dress in his teeth, pulled back towards the door leading out of her room, then let go and started towards the door, whining and barking. Then he repeated the maneuver several times in succession. Of course this attracted her attention. She felt that something had happened, that perhaps she was needed by one of the old people; so she hurried up and started down just as I arrived on the scene. If any child, deprived of the power of articulate speech, had been sent on a similar errand, what better means could it have devised than this little dog had carried out, except that a child would have pulled the dress with its hand instead of with its teeth?

As to my own observation and memory, I can say that the circumstances were simple, requiring no specialized training. My memory is very clear as to the details; and as to my recollection, I can say that every one of these stories is certified to by at least three members of the family now living who remember the facts to have been told as I relate them when they heard them fresh from the observers.

But some one may say that these were only very exceptional manifestations from an

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animal that had lived in company with human beings; but not one of these acts was a definite copy of anything he had seen any human being do. The first two were thought out and acted on before the ideas had occurred to the human observers. And, again, should we apply the same argument to human beings, what would become of the claims of most people to higher reasoning powers? How many—not only individuals, but whole communities and even business corporations—go on, from habit, in a stupid way, to their own loss, and, very much like the beavers to which Mr. Burroughs refers, build their dam in the old way, instead of taking advantage of the trunk of a tree fallen across the stream, to aid in resisting the force of the current?

RICHARD H. DANA.

Boston, Massachusetts.

THE SHOP-GIRL

A great deal has been done in the past few years for the welfare of the shop-girl. Her physical being has been thoughtfully considered, with many practical results, such as the providing of seats for her use when not actively engaged in the discharge of duties, and time during the day in which to rest—great boons, these, to the tired body. Then, too, in the planning and building of the new stores her comfort has been remembered in so far as is possible from the employer's standpoint.

There is, however, another and vital side to the shop-girl—the *moral* side. Very few of these women or girls are naturally bad. Very few of them go astray through innate love of wickedness, but the force of circumstances is too strong for some of them to battle against. Their experience says: "Go with the tide or go under; the world does not care which you choose." The problem given them to solve is, how to live on a salary ranging from seven to fifteen dollars a week. To the woman in the small country town this seems easy. But New York is not a country town, and this article is written specifically of New York, although applying with equal force to any large city.

The cash-girl is paid three dollars a week, and, being gradually promoted to the position of saleswoman, earns five. The average age at this stage is about eighteen or nineteen years old. Then every year or two, as she becomes more valuable, wages are increased a dollar or two at a time. She rarely receives more than fifteen and usually stops at twelve, although, of course, in every shop there are buyers and head saleswomen who receive twenty-five to forty, but this is a small per cent of the actual number of employees. On her salary she must live—not only pay for shelter and food, but clothes. If she does not live at home, she sleeps in a tiny back bedroom, badly ventilated, and economizes on food, because most of her income must be put on her back; the shops demand good dressing on the part of their employees. The demand is right, too; the air, the style and class of shop is instantly determined by the appearance of its saleswomen. That it cannot be accomplished on the salaries paid is obvious. For the girl living at home, to the running expenses of which she may not have to contribute more than three or four dollars a week, and whose mother or sister is able to make her clothes, the problem need not be considered. But what about the girl standing next to her, behind the counter or in the show-room? For her, no matter how tired and worn out she may be, the evenings and Sundays must be spent in necessary mending, or laundering the little articles which she could not afford to put in the wash, for not even the most petty economies dare be neglected. Think of the clean white shirt-waist required every day in summer! And yet there are shops that issue the command that after a certain date, about the middle of May, employees must appear in white waists. This means the additional expense of at least fifteen cents a day to the washerwoman, or extra work at night. And how quickly clothes wear out for the girl who works all day; stockings, sleeves, skirt-braids, and the occasional tear that quick moving seems to bring upon her! After struggling for months half nourished and wholly tired out, her face begins to look strained and worn; the customer and the manager prefer salespeople who look well and alert, and then—? The shop-girl has found only one solution; she is young, too, with a normal craving for pleasure.

How can she be helped? How can the girl who wants to be "straight" be given a fighting chance? Wages cannot be changed, rent remains, and the price of food; but the big expense of dress could and should be eliminated. A shop could not only adopt but provide a uniform for its employees. Probably the first ones to object to this proposition would be these same employees; that is to be expected; yet the uniform could become an honor, as is that of the trained nurse. The employees raised a howl when the rule to wear black was established, but the shopkeepers persisted, with the result that the eye of the beholder was no longer offended by the sight of discordant colors working side by side. A uniform would give even better results—that is, if nothing glaring was chosen, and the style kept sim-

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ple and up-to-date. One of black brilliantine, made with tailored shirt-waist and skirt, would be becoming, inconspicuous, and economical. Going to and from the shop, this would not attract attention any more than the black garb of the present, as naturally coats and hats would be left to the taste and pocketbook of the individual. The store could have these costumes made in its own workrooms during the dull season. Properly cut and fitted, they would in themselves be an advertisement for the tailoring department, as well as create an atmosphere of trained service throughout the establishment. They could be sold at cost price, too, which, while being no loss to the business, would be an immense saving to the girls, as brilliantine is inexpensive and durable. Should a saleswoman wish to have her uniform made outside of the shop, there would be fixed rules governing the style and cut of the garment.

Sensible managers must appreciate the fact that silk dresses worn at half-past eight in the morning by women who are working are not in good taste; yet this is what one beholds daily in the big stores. The remedy rests with the employer, not with the employee. ALICE CALVIN.

A BOMB AND ITS CONSEQUENCES

On Tuesday, January 21, a disaster befell the Home Garden Settlement, 405 East One Hundred and Sixteenth Street, in New York City, when a bomb intended for a Black Hand victim was exploded in its doorway, wrecking the front of the building and also doing damage to many buildings around. The bomb exploded outward, to which is due the escape of the Superintendent, Miss Guyon, and others in the house. As it was, no one was injured.

The Home Garden was founded in 1898 by Miss Anna C. Ruddy for the purpose of reaching and helping the children of "Little Italy." It has a successful kindergarten, a "play school" of eighty Italian children, besides many clubs, classes, and a large Sunday-school. It has been a power for good in the neighborhood, as is evidenced by one club alone of twenty-five young men, half a score of whom are college and high school students and the rest earnest business men who came to the Home Garden as Italian street boys for whom nobody cared. They are unanimous in attributing the influence for good in their lives to the Home Garden.

Two or three years ago several unsuccessful attempts were made to set fire to the building by some one unknown. This blow is nothing short of a calamity to the Settlement, which, with other charitable institutions, has been feeling the effects of the money stringency this winter.

An earnest appeal is made by the Board of Managers, of which Mrs. Ira Davenport is President, for contributions to help put the house in order again, and to carry on the work. All communications and contributions may be addressed to Miss Anna C. Ruddy, The Home Garden, 405 East One Hundred and Sixteenth Street, New York.

ADULT ENOUGH TO BE A BELIEVER

It may seem a little thing, yet I am impelled to call your attention to an error not infrequently made by The Outlook in its references to the Baptists. We expect it in some quarters, but we ought not to look for it in such intelligent quarters as the editorial section of The Outlook.

This: You say, in "Co-operation, Not Creed" (issue of January 18), "We are ready to co-operate with . . . the Baptist who believes that Christ taught adult immersion." I have often felt impelled to write you, for this is a sample of occasional utterances which surely imply ignorance, or "pen-slips," for The Outlook does not seem to have any prejudices. Where do you get the idea that Baptists teach adult immersion? The fundamental position in this matter is "believer's baptism," in which age has nothing to do. Baptist churches are full of children, some of them of very tender years—for which we thank God; but they are old enough to have personal faith in Jesus Christ. It seems as though we could never get this common error corrected. On one occasion, some years ago, The Outlook intimated that it could not go with the Baptist who believed that a man could not be a Christian unless he were immersed. The truth is that the Baptist insists upon one's being a Christian before he is baptized. The old Campbellite teaching is to the opposite effect, but Baptists are frequently charged with it.

W. H. GEISTWEIT.

A SUGGESTION

We believe in the Holy Church Universal, whereby the children of man are to realize their oneness with God, attain the fullness of divine manhood, and the spirit of eternal brotherhood by making the Christ the controlling type of life.

Cannot something like this be made a common ground on which all Christian people can stand in divine unity and work together to overcome the evils of life and develop true manhood? W. D.

Tarpon Springs, Florida.

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